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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 4, 1973.

The City Planning Commission met pursuant to notice on Thursday, October 4, 1973, at 1:45 P.M. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker and Thomas J. Mellon, members of the City Planning Commission.

ABSENT: John Ritchie and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Daniel Sullivan, Planner IV (Zoning); Alec Bash, Planner III; Joseph Fitzpatrick, Planner III; Katherine Benziger, Planner II; Jay Fernandez, Planner II; Wilbert Hardee, Planner II; Robert Feldman, Planner II; Nathaniel Taylor, Planner II; Michael Cronbach, Planner I; Wally Stokes, Management Assistant; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Jerry Adams, Carol Kroot, and Joel Tlumak represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meetings of September 6 and 13, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, distributed copies of a letter which he had addressed to Norman B. Livermore, Jr., Secretary of the Resources Agency of California, containing comments on the proposed amendments to the guidelines for Environmental Impact Reports.

The Director reminded members of the Commission of two committee meetings scheduled next week, as follows:

1. Tuesday, October 9, 1973, 3:00 P.M.
Commissioners Newman and Porter
Review of Proposed Budget and Work Program for fiscal year 1974-75.

2. Tuesday, October 9, 1973, 4:00 P.M.
Commissioners Newman, Fleishhacker and Porter
Review of Proposal for Interim Residential District Controls.

Director continued his report by reading the following prepared statement:

"As I informed the Commission a few weeks ago, the Department of Housing and Urban Development amended their contract with the City in order to provide an additional \$35,000 for the purpose of preparing a reuse plan for the Hunters Point Shipyard. This project was funded as of the first of October.

"We have prepared a letter requesting proposals for this study to be sent to five firms.

"The Plan, which is to be prepared under the direction of this Department, is intended to provide background data as well as land use and circulation guidelines for the reuse of the Shipyard. The plan will enable us to assist the Mayor's Office of Economic Development, which has the major responsibility concerning the conversion of the Shipyard to civilian uses. Although the Shipyard is included in the South Bayshore element of the Master Plan, much of it is there designated as 'housing, common and personnel support facilities--Naval Shipyard.' The Shipyard is zoned P and M-1.

"As is detailed in the letter, the reuse issues are complex. In addition to the industrial portion, the Shipyard contains housing, shoreline with recreation potential, and much vacant land. There are also nearly 500 acres of tidelands within the boundaries of the Yard. There are circulation problems as well as the potential to use roads within the Yard to ease Candlestick and India Basin traffic problems. There is a major problem of the inadequacy of sewage treatment facilities for the Yard.

"The study will address itself to these issues to produce reuse proposals compatible with citywide needs and compatible with existing development and plans for the surrounding area."

The Director noted that the staff, at the conclusion of the Commission's hearing on the Environmental Impact Report for the proposed expansion of San Francisco International Airport last Thursday, had stated that proposed revisions to the draft report would be made available to the public on Friday, October 5. However, due to the large volume of testimony received, the staff would not be able to meet the previously announced deadline; and, as a result, the staff would submit its responses and revisions to the draft report next Thursday, October 11, when the public hearing on the report is continued. Commission consideration of a final report could then be made on the following Thursday, October 18.

Continuing his report, the Director made the following statement:

"What I feel to be the most important news item in the morning's Chronicle occupies two square inches on the reverse of the obituary column. The following is a summary of actions taken late Tuesday by the Governor. Bill signed: CANDLESTICK--Authorizes Department of Parks and Recreation to acquire and develop real property at Candlestick Point, San Francisco, for State Park system. AB 2468: Brown."

"In 1970 this Commission amended the Master Plan, reversing the policy of extensive fill and industrial development surrounding Candlestick Stadium, proposing instead a major shoreline park. The bill signed by the Governor authorizes the State Department of Parks and Recreation to utilize ten million dollars of the Bagley Bill Funds to acquire this land for park purposes.

"The staff and I have produced a lot of verbiage over the years extolling this project, and now that the park is becoming a reality, it seems hard to say more. Let me just say that this is a very, very significant development.


"We will be working with the State on boundary and use recommendations. At my last meeting with William Penn Mott, he expressed a desire to move the project ahead very fast. Until appraisals are made, the extent of the park is not certain. It does seem safe to assume that the funds insure acquisition of the entire shoreline from Candlestick Cove, at the City's southern gateway, north to the Naval Shipyard."

Commissioner Porter stated that the Director of Planning and his staff should be congratulated for their wisdom and foresight in proposing the Candlestick Point Park in the South Bayshore Master Plan. Without that proposal, the park would never have become a reality.

The Director stated that he understood that legislation will be introduced into the Board of Supervisors which would require individuals filing for positions in the City service to have one year prior residence in San Francisco. If such legislation should be enacted, he believed that it would have a devastating effect on the Department of City Planning and other City departments which are staffed by professional people.

The Director then recommended adoption of a draft resolution which he had prepared which contained the following resolve:

"THEREFORE, BE IT RESOLVED, that the City Planning Commission hereby delegates to the Environmental Review Officer the function of taking



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testimony at scheduled public hearings on any draft Environmental Impact Reports when a quorum of the City Planning Commission is not present, and directs that such testimony be taken as provided under Section 31.41(c) of Chapter 31 of the San Francisco Administrative Code."

President Newman felt that it might be desirable to broaden the resolution to specify that the Environmental Review Officer could hold hearings on draft Environmental Impact Reports at times other than those rare instances when the Commission would be without a quorum. The Director replied that he agreed that it would ultimately be desirable for the Commission to hold public hearings on draft Environmental Impact Reports on a selected individual basis; and he advised the Commission that the Administrative Code contains provisions which would authorize the Commission to delegate responsibility for the hearings to the Environmental Review Officer whenever it wishes. He also noted that the State guidelines for Environmental Review are presently in a state of flux; and he remarked that they may be amended to provide that the Commission would not be responsible for determining the completeness of draft Environmental Impact Reports for projects over which it would not have ultimate approval. As a result, the number of hearings which will have to be held by the Commission might be considerably reduced.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Farrell, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7077.

President Newman inquired about the status of the Environmental Impact Report on the proposed expansion of the Academy of Sciences in Golden Gate Park. The Director replied that the staff of the Department of City Planning had met with interested parties to discuss the matter and had made a further submission to the Board of Supervisors. If the information contained in that submission is satisfactory to the Board, they will take final action on the completeness of their report. If not, the report will have to come back to the City Planning Commission for further hearing.

2:00 P.M. ZONING HEARING

CU73.39 SOUTH EAST CORNER OF 19TH AVENUE AND LINCOLN WAY
REQUEST FOR MODIFICATION OF THE CONDITIONS OF CITY PLANNING
COMMISSION, RESOLUTION NO. 6148 TO PERMIT THE EXPANSION OF A
STORAGE ROOM AT THE REAR OF AN EXISTING SERVICE STATION.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 132 feet of frontage on Lincoln Way and 150 feet of frontage on 19th Avenue for a total area of 19,250 square feet. The R-4 property is occupied by a non-conforming automobile service station. The applicant wished to expand a storage room at the rear of the service station for storage of tires. However, City Planning Commission Re-

solution No. 6148 which had allowed conditional use of the subject property as a gasoline service station had required that the size of the building be in general conformity with plans on file with that application; and, since those plans had not included the proposed storage room, the new application had been filed to request modification of the previous resolution to permit the new construction.

R. H. Roehl, representing the Shell Oil Company, stated that the subject service station does a high volume of business; and, as a result, he considered it necessary to expand the storage facilities at the station.

Mrs. Call, 1831 Lincoln Way, stated that she would be opposed to the applicant's proposal if it would involve acquisition of additional property and demolition of existing houses.

Mr. Steele stated that no additional property acquisition would be necessitated by the proposed expansion; and, referring to a site plan, he pointed out the 10 foot by 12 foot portion of the subject lot which would be occupied by the storage room.

Henry Greenberg, representing the owner of property at 1725 Lincoln Way, stated that he had no objection to the applicant's proposal.

Mr. Steele recommended that the application be approved subject to 3 specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant.

Mr. Roehl, noting that Condition No. 2 of the draft resolution specified that no tires should be stored outside of the station building, asked if a similar condition had been included in the resolution previously adopted by the Commission. Mr. Steele replied in the negative. However, since the staff had noticed that a considerable number of tires were stacked at the pump islands and at various other locations on the site, he felt that the condition which he had recommended would be appropriate.

Mr. Roehl acknowledged that stacking of a large number of tires on the site might be unattractive; however, he did not feel that it would be fair to stipulate that no tires whatsoever should be stored outside of the station building.

Commissioner Fleishhacker remarked that there is a difference between "storage" of tires and "display" of tires; and, with the understanding that Condition No. 2, as recommended by Mr. Steele, would not prohibit the display of a reasonable number of tires on the site, he moved that the draft resolution be adopted. The motion was seconded by Commissioner Porter.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7073 and to approve the application subject to the conditions which had been recommended by Mr. Steele.

EE73.113 APPEAL OF NEGATIVE DECLARATION ISSUED BY THE DIRECTOR OF PLANNING
FOR AN AUTOMOBILE WRECKING OPERATION AT 1095 UNDERWOOD STREET
AS REQUESTED BY CONDITIONAL USE APPLICATION 73.40.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), read a letter which had been addressed to the Commission by Kenneth Carpenter, Director of the Bayview Hunters Point Model Neighborhood Agency, appealing the negative declaration which had been issued by the Director of Planning for the proposed project.

The Commission then called on members of the audience who wished to be heard on this matter and received comments from John Harris, representing the Bayview Hunters Point Model Neighborhood Agency, Roberta Taylor, representing Ambulatory Health Services; Harold Madison, President of the Shafter Avenue Community Club; and Nicholas Deriman, representing Salvador Garza, the individual who had filed Conditional Use Application No. 73.40.

At the conclusion of the hearing, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7079 be adopted with the following resolve:

"THEREFORE, BE IT RESOLVED, that the City Planning Commission does hereby find that the proposed project could not have a significant effect on the environment and does thereby affirm the negative declaration filed by the Department of City Planning."

A standard tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription.

CU73.40 1095 UNDERWOOD STREET, SOUTH EAST CORNER OF GRIFFITH STREET.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION;
IN AN M-1 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 100 feet of frontage on Griffith Street and 150 feet of frontage on Underwood Avenue for a total area of 15,000 square feet. He stated that the application had been filed requesting authorization for an automobile wrecking operation in an open yard completely surrounded by an 8-foot fence and having access on Underwood Avenue 150 feet from Griffith Street. In conclusion, he stated that the applicant had indicated that access to and from the site would be obtained exclusively through industrial districts.



Commissioner Fleishhacker inquired about the location of the nearest residentially-zoned property. Mr. Steele, referring to a map posted in the meeting room, indicated that the nearest residentially-zoned property lies approximately 4 blocks from the subject site.

President Newman asked if the Commission could establish time limits on the requested conditional use authorization if it were to approve the subject application. Mr. Steele replied in the affirmative.

Nicholas Deriman, representing the applicant, stated that his client is a member of a minority race. He stated that his client has been in the automobile wrecking business for the past 9 years. His business was originally located in the Butchertown area; however, because of the new redevelopment project, he had been forced to relocate. No complaints had been filed against his client during the time that his business had been located in the Butchertown area; and a police captain was present in the audience to testify to that fact. Mr. Deriman acknowledged that automobile wrecking is not the most desirable type of use imaginable; however, he emphasized that automobile wrecking is an absolutely necessary service for the City. Without such a service, automobiles would be abandoned on the City's streets. He stated that he had requested his client to poll his neighbors within a 300-foot radius of the subject site; and, with one exception, no objections had been registered to the proposed use. Mr. Deriman submitted a photograph of the subject site, noting that the property is surrounded by an 8-foot fence which would block out views of anything unsightly on the property. He also indicated that he had visited the site the previous afternoon and had not seen any residences within 600 feet of the property. He stated that the area is overgrown with weeds and is unsightly at the present time; and the most attractive things he had seen were the building which had been constructed by his client and the landscaping which he had installed. He stated that he had studied the guidelines which had been adopted by the Commission for review of conditional use applications for automobile wrecking yards; and he believed that his client's proposal met all of those guidelines. Access to the site would be obtained exclusively through industrial districts; and, in any case, the route would be utilized for only 3 trips each day. The existing fence is sufficiently high to hide the interior of the property from the immediate area; and, while the interior of the property might be visible from higher elevations such as Hunters Point and Candlestick Park, he had viewed the site from Hunters Point and had been able to see little or nothing, even with the use of binoculars. If the application were to be approved by the Commission, his client intended to make further improvements on the site, installing a new fence and planting more landscaping. Mr. Deriman expected that individuals in opposition to the proposal were afraid that similar operations would be encouraged to move into the neighborhood if the subject application were to be approved; however, he emphasized that the Commission would consider each application on its own merits and that the application which had been filed by his client was the only one presently under consideration. In conclusion, he submitted letters

which he had obtained from John C. Sanchez, Paul M. Braun, and Raymond F. Jones, property owners in the area, indicating that they had no objection to the use proposed by his client. He also submitted photographs which he had taken of the nearest residential buildings which are located approximately 4 blocks away from the subject site; and, in addition, he submitted photographs which he had taken to illustrate the generally deplorable condition of the subject neighborhood.

Captain McFarland of the San Francisco Police Department stated that he had been commanding officer at the Southeast Police Station during the time that the applicant operated his business in Butchertown. He stated that the applicant had operated his business in an honest and professional manner and had been cooperative with the Police Department; and he stated that he had no knowledge of any complaints having been received about Mr. Garza from his customers or his neighbors. He advised the Commission that approximately 40 automobile wrecking yards had been located in the Butchertown area; and he indicated that only 8 of those operations, including the one run by Mr. Garza, had been operated in an ethical manner. He felt that Mr. Garza should be permitted to continue his automobile wrecking business, especially since the services which he provides are so badly needed in San Francisco.

Mr. Deriman requested individuals in the audience in support of the subject application to stand. Approximately 9 responded.

President Newman asked how many of those who had stood were members of the San Francisco Automobile Dismantlers Association. All replied in the affirmative.

Harold Brooks, consultant to the Bayview Hunters Point Model Neighborhood Agency, stated that his organization continued to be of the opinion that automobile dismantling activities should be located north of Oakdale Avenue and west of Third Street. He noted that there are several automobile wrecking operations in the vicinity of Candlestick Park; and he remarked that wrecked automobiles proliferate on the streets in that area. In his opinion, it would be preferable for automobile wrecking activities to be housed in enclosed buildings rather than on open lots. He stated that residents of the community had encouraged acquisition of property at Candlestick Point for a park; and he reminded the Commission that Governor Reagan had just signed legislation which would authorize acquisition of property in that area for development as a park. While he acknowledged that the subject property is not located within 500 feet of a residential district, the proposed use would constitute a form of "blight" as viewed from residences at higher elevations to the north and south. While he regarded Mr. Garza and his business as assets to the community, he felt that the Commission should be concerned about the proper location for automobile dismantling yards and that it should take cognizance of the actual practice of automobile dismantlers presently doing business east of Third Street. He noted that the property from Keith Street eastward to the Bay is largely vacant; and he felt that the City is missing a great opportunity for proper improvement of that area. In conclusion, he asked what appeal would be possible if the subject application were to be approved by the Commission.

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. The second part is devoted to a discussion of the experimental results obtained in the study of the structure of the atom. The third part is devoted to a discussion of the theoretical results obtained in the study of the structure of the atom.

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Allan B. Jacobs, Director of Planning, replied that the Commission's decision could be appealed to the Board of Supervisors.

Rosalie Williams, 1474 Underwood Street, stated that automobile wrecking activities lower the value of adjacent properties and endanger the safety of children in the neighborhood. She emphasized that constructive new development is taking place in the South Bayshore area; and she urged that the subject application be disapproved.

Harold Madison, President of the Shafter Avenue Community Club, stated that he and the applicant are good friends; but he acknowledged that they have different values. He stated that his residence at 1250 Shafter Avenue is located too close to the subject site; and he felt that people residing in the area deserve better types of neighbors than automobile wrecking yards. He believed that the appearance of a member of the Police Department to speak in support of the applicant had been politically motivated; and he urged the Commission to disapprove the subject application and to keep automobile wrecking yards out of the subject neighborhood.

James Williams, Youth Involvement Coordinator for the Bayview Hunters Point Model Neighborhood Agency, stated that he had been trying to impress upon youths in the area that efforts are being made to upgrade the neighborhood; and he believed that they would not like the idea of having an automobile wrecking yard located on the subject property.

Mrs. Espinola Rich, 3231 Ingles Avenue, advised the Commission that houses in her neighborhood are presently valued at at least \$42,000; and she feared that introduction of automobile wrecking yards into the area would lower the value of her property. Regardless of any comments which might be made by the applicant, she was convinced that once approval had been obtained from the Commission, wrecked automobiles would be parked in the street, that oil would be dumped in the area, and that fires would develop. She emphasized that the community was opposed to the proposed development; and she believed that the Commission should act in accordance with the desires of the community rather than to approve an application which would benefit only 5 or 6 individuals.

President Newman asked members of the audience who were present in opposition to the application but who did not wish to speak to stand. Approximately 15 people responded.

Allan B. Jacobs, Director of Planning, remarked that the proposed automobile wrecking yard would be in general conformity with the guidelines which had been established by the Commission for such a use; and he indicated that he was of the opinion that the surrounding land use in the vicinity would be consistent with the proposed operation. He noted that the applicant had indicated that access to the site would be obtained exclusively through industrial districts; and he remarked that automobile dismantling at the subject location on property surrounded by an 8-foot metal fence would



provide a desirable resale market for inoperable vehicles and used automobile parts. However, he pointed out that approval of additional automobile wrecking yards would begin to impact the area, having a significant effect upon the environment. Therefore, while he was prepared to recommend approval of the present application subject to 12 specific conditions which he had prepared for consideration by the Commission, he also believed that the Commission should go on record at this time stating that no further automobile wrecking yards should be permitted in the subject neighborhood. After summarizing the conditions which were contained in the draft resolution, he recommended its adoption.

President Newman asked if the conditions which had been recommended by the Director would be acceptable to the applicant. Mr. Deriman replied in the affirmative.

Commissioner Fleishhacker, noting that Condition No. 4 of the draft resolution specified that no inoperable, partially or totally dismantled vehicles could be parked on the street at any time, asked if the applicant understood that he would be responsible for any vehicles left on the street regardless of who might have put them there. Mr. Deriman replied in the affirmative.

President Newman asked if it were clearly understood by the applicant that Condition No. 3 of the draft resolution would prohibit wrecked or inoperable vehicles from being stacked on the site. Mr. Deriman replied in the affirmative.

Mr. Williams observed that individuals wishing to locate automobile wrecking yards in the subject neighborhood do not live in the area.

Mr. Brooks stated that he believed that the subject neighborhood is already impacted with automobile wrecking yards; and he felt that one has only to look at the area to be apprised of that fact. He stated that the practices of automobile dismantlers already located in the area are disgraceful; and he advised the Commission that no enforcement action is taken against them by the Police Department, which seems to be concerned only about children playing in the street. He begged the Commission to give careful consideration to the appropriateness of approving the subject application.

Mr. Madison believed that the Improvement Plan for Recreation and Open Space, recently adopted by the Commission, had designated the subject property for use as open space; and he felt that approval of the subject application would go contrary to that plan.

The Director stated that the Improvement Plan for Recreation and Open Space had not designated the subject property for open space use.

Mrs. Taylor was of the opinion that the proposed operation would have an impact on health in the subject neighborhood; and she requested the Commission to take that possibility into consideration.



President Newman stated that a letter had been received from Supervisor Tamaras which read as follows:

"Members of the Shafter Avenue Club are very disturbed about the anticipated relocation of auto wreckers in the Bayview area near residential homes.

"The Redevelopment Agency is making every effort to relocate them in the area, which was the subject of much bitter controversy in the past. The residents of the area want the auto wreckers kept away from their residential area and I would support them strongly in their request.

"This letter is being sent to you at their request and I hope the Planning Commission will take note of its contents and act accordingly."

Commissioner Fleishhacker, addressing himself to the issue of impaction, asked about the number of automobile wrecking operations presently located in the subject neighborhood. The Director replied that one other automobile wrecking yard is located north of the South Basin Channel; however, he stated that one or two additional operations are located south of the Channel. He pointed out that much of the land in the vicinity of the subject site is vacant and is presently being used illegally for dumping of trash; and, as a result, the area generally has a run-down appearance. On industrial use in the vicinity, a construction firm, actually conducts some of its activities on an unpaved street right-of-way. He stated that he was extremely concerned about future development of the area; and, while he did not believe that approval of the subject application would impair proper development of the area in the future, he believed that approval of similar uses in the future could impact the area. Therefore, if the Commission were to disapprove the subject application, he felt that that action would be tantamount to saying that all automobile wrecking activities in the City should be conducted within enclosed buildings.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7080 and that the application be approved subject to the conditions which had been recommended by the Director.

CU73.41 1799 NEWCOMB AVENUE, SOUTH EAST CORNER OF PHELPS STREET.
REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR 12
MENTALLY RETARDED PERSONS; IN AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), advised the Commission that the required environmental evaluation process relative to the subject application had not been completed; and, as a result, it would be improper for the Commission to proceed with its scheduled public hearing on the matter. Therefore, he recommended that the hearing be postponed until the Commission's regular meeting on Thursday, November 1, 1973, at 4:00 P.M.



After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the public hearing on this matter be postponed until the meeting of November 1, 1973, at 4:00 P.M.

CU73.43 554 ASHBURY STREET, EAST LINE, 25 FEET NORTH OF HAIGHT STREET.
REQUEST FOR AUTHORIZATION TO USE PART OF THE EXISTING BUILDING
FOR THE OFFICE OF THE SICKLE CELL ANEMIA DISEASE RESEARCH
FOUNDATION, AN ELEEMOSANARY INSTITUTION; IN AN R-3.5 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is developed with a 3-unit apartment building, one of which is currently used for the office of the Sickle Cell Anemia Disease Research Foundation. He stated that the subject application had been filed requesting conditional use authorization for the existing, and presently illegal use.

President Newman, noting that the Commission was running far behind schedule, asked if anyone was present in opposition to the subject application.

Richard Rego, representing the Haight-Ashbury Improvement Association, stated that his organization was opposed to the subject application. He noted that the subject property had been reclassified from R-4 to R-3.5 approximately 1 year ago; and he emphasized that the property is not zoned for commercial use. He understood that the use for which permission was being requested was similar in nature to a clinic, with many people coming and going; and he believed that it should be located in the Haight Street commercial district rather than encroaching into a residentially zoned area. He advised the Commission that there is vacant commercial space on Haight Street; and he felt that the use under consideration would be better located in some of that vacant space.

President Newman asked if treatments are given in the offices of the Sickle Cell Anemia Disease Research Foundation. Mrs. Lulu Carter, Volunteer Director of the Foundation, replied in the negative, indicating that the subject building merely houses the offices of her organization. She stated that her organization would have been glad to have located its office on Haight Street if someone had been able to find suitable space; however, the space had not materialized.

Allan B. Jacobs, Director of Planning, stated that he felt that it would be preferable for the offices of the Sickle Cell Anemia Disease Research Foundation to be located within the Haight Street commercial district; and he indicated that studies made by the Department of City Planning in the Haight-Ashbury District had indicated a rather high vacancy rate along that commercial street. He suggested that the subject application be taken under advisement for 2 months so that the services of the Office of Economic Development could be secured to assist in relocating the subject facility to appropriate quarters on Haight Street. However, if that effort should prove to be unsuccessful, he would be willing to recommend approval of the subject application at the end of the 2-month period.



President Newman asked if the recommendation which had been made by the Director was acceptable to the applicant.

Mrs. Carter replied in the negative. She advised the Commission that neither the National Chapter of the Sickle Cell Anemia Disease Research Foundation nor the local chapter have any money; and, in fact, the local chapter has only \$1,100 in the bank. She stated that any space occupied by the local chapter would have to be attractive and safe; and, if the office were to be relocated, telephones, stationery, and other things would have to be changed, thus occasioning unnecessary expenditures. She stated that her organization had neither the money nor the energy necessary to look for alternate office space.

President Newman asked how long the local office of the foundation has been located in the subject building. Mrs. Carter replied that the office had moved into the space on the first of March of this year. She advised the Commission that there were several people in the audience who were present in support of the subject application. She also emphasized that approximately 50% of the people residing in the area are black. Even if money were available to cover moving expenses, any move at the present time would be inconvenient insofar as it would cancel steps which have been taken to impress upon the people served by the foundation the present location of the office.

President Newman asked if operation of the office at the subject location would be allowed to continue if the Commission were to take the subject application under advisement for 2 months as recommended by the Director. The Director replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that further consideration of this matter be taken under advisement until the meeting of December 6, 1973.

CU73.44 1690 CHURCH STREET, NORTH WEST CORNER OF 29TH STREET.
REQUEST FOR AUTHORIZATION FOR A NURSERY SCHOOL; IN AN R-3
DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. It is occupied by St. Paul's Elementary School. The proposal of the applicant was to use the ground floor of the elementary school as a nursery school for 28 children. The floor area was 1,328 square feet; and the open space available was 3,519 square feet. Access to the space would be from Church Street at the corner of 29th Street; and access to the play yard would be from the building.

President Newman asked if anyone was present in the audience in opposition to the subject application and received a negative response. He then called on Mr. Steele to give his recommendation on the application.



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Mr. Steele recommended that the application be approved subject to 4 specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicants. A representative of the applicant replied in the affirmative.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Farrell, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7081 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU73.46 443 FOERSTER STREET, SOUTH WEST CORNER OF JOOST AVENUE.
REQUEST FOR AUTHORIZATION FOR A NURSERY SCHOOL; IN AN R-1 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consisted of 2 lots containing a total area of 5,000 square feet. He stated that the corner lot is occupied by a resident while the second lot, immediately to the South, is vacant. The subject application had been filed by the Miraloma Cooperative Nursery School requesting authorization to use the subject property as a nursery school for 35 children.

President Newman asked if anyone was present in the audience to object to the subject application.

George A. Bangs, representing the Miraloma and Sunnyside Improvement Clubs, stated that the subject intersection has a great deal of traffic congestion; and he questioned whether adequate play space or parking space would be available for the proposed facility. He also emphasized that the property is located in a single-family residential neighborhood; and he felt that the proposed use would be better located on Monterey Boulevard. In conclusion, he submitted a petition which had been signed by 28 individuals in opposition to the application; and he indicated that 3 individuals who had originally signed a petition in support of the application had changed their minds and were now opposed to the proposal.

The Secretary called attention to 2 letters which had been received in opposition to the subject application.

Chris Emley, representing the Miraloma Cooperative Nursery School, advised the Commission that the school is being evicted from its present quarters; and, if alternate quarters are not found, the school may be forced to close, thus depriving the City of a valuable asset. He emphasized that the subject neighborhood is neither clearly residential nor commercial in character; and he indicated that teachers from the school and parents with children enrolled in the school were present in the audience in support of the application.

Ida Martini, head teacher at the Miraloma Cooperative Nursery School, informed the Commission that the school had been started by a group of parents and that it had been in existence for 23 years. She stated that she has teaching credentials; and she advised the Commission that parents of children attending the school assist her in her work. She stated that they were extremely concerned about controlling the noise level at the school; and she felt that it would be very sad if the subject application were to be disapproved.

President Newman asked why the school is being evicted from its present quarters. Miss Martini replied that the building presently occupied by the school is scheduled to be used as a day care center; and she indicated that the Miraloma Cooperative Nursery School offers only a 3-hour program.

Becky Plack, 61 Turquoise Way, felt that trucks passing through the area would create a greater noise level than children attending the proposed nursery school; and he believed that more attention should be focused on that sort of problem rather than on the type of noise created by children.

Mr. Emley asked people who were present in the audience in support of the subject application to raise their hands. Approximately 50 people responded. Mr. Emley then stated that he had obtained a letter from the nursery school's present landlord attesting to the fact that the building had been well maintained; and he submitted a petition which had been signed by approximately 70 people from the immediate vicinity of the subject property in support of the subject application. In conclusion, he advised the Commission that a sound test had been made at the subject site earlier in the day; and he did not feel that the proposed nursery school could possibly add to the noise level in the area.

Allan B. Jacobs, Director of Planning, recommended that the application be approved subject to 4 conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the Director would be acceptable to the applicants. Mr. Emley replied in the affirmative.

Commissioner Fleishhacker stated that he was concerned about Mr. Bang's statement to the effect that no parking would be available for the proposed nursery school. Mr. Bang stated that parking is not permitted on the west side of Foerster Street; and he indicated that parking spaces on the east side of the street are always full.

President Newman asked if the nursery school would be able to procure a white zone in front of the subject property. The Director replied that permission for the white zone would have to be requested from the proper authorities.



After further discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7082 and that the application be approved subject to the conditions which had been recommended by the Director.

CU73.47 27 DE MONTFORT AVENUE, SOUTH LINE, 100 FEET WEST OF MIRAMAR AVENUE.
REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR 10
AMBULATORY PERSONS; IN AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 25 feet of frontage on De Montfort Avenue and a depth of 100 feet for a total area of 2500 square feet. He indicated that the property is presently used as a board and care facility for 10 ambulatory patients; and he stated that the subject application had been filed to legalize the existing use. He stated that the staff of the Department of City Planning is currently studying the location of such homes to determine a locational policy; however, they had not previously been aware that the subject facility had been in existence. In conclusion, he stated that a representative of the OceanSide-Merced Heights-Ingleside District Improvement Club (OMI) had requested that the scheduled hearing on the subject application be postponed. Therefore, he recommended that the matter be postponed until the Commission's regular meeting on November 1, 1973, at 4:00 P.M.

Charles Turner, representing the applicant, spoke in opposition to Mr. Steele's recommendation for postponement of the hearing. He stated that the applicant had done a good job operating the board and care facility; and he felt that the truth of that fact was indicated by the fact that people had not previously been aware of the facility.

President Newman advised Mr. Turner that it was unlikely that the Commission would act on the application during the present meeting even if the hearing were to be held if the neighborhood organization were not prepared to testify.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that hearing of the subject application be postponed until the meeting of November 1, 1973, at 4:00 P.M.

ZM73.28 PROPERTY BOUNDED BY NORTHPOINT, KEARNY AND BAY STREETS AND A
LINE 206.75 FEET EAST OF STOCKTON STREET AND PROPERTY FRONTING
ON THE SOUTH SIDE OF BAY STREET BETWEEN MIDWAY AND KEARNY STREETS.
C-2 TO P (PUBLIC USE) DISTRICT.

Ann Halsted, the applicant, read the following prepared statement:

"I am a tenant at 200 Francisco, which is about 100 feet from the south end of the Sewerage Plant. Sometime in 1972 I heard rumors of



plans to abandon the North Point Sewerage Treatment Plant. I wrote to Mr. Wortman and to Mr. Tatarian to inquire about those plans, the present zoning of the property, and what happen if it were abandoned. They responded that the current zoning is C-2, that at least part would be abandoned in the next 5 years, and that when it would be abandoned the land would be declared surplus and put up for auction to the highest bidder.

"Early this year I became aware of all the developments planned for this immediate area - Greenwich Square, the Mastercharge Building, Alpha Land condominiums, the Bay Francisco project, the Blue Shield development, more hotels at Fisherman's Wharf, and on and on. I realized that the Sewerage Plant property, if put up for sale, would be grabbed up by a developer.

"My conclusion was obvious - the property ought to be re-zoned to 'P.' At present, there is no apparent reason for it to be zoned C-2 since it is currently in public use. 'P' would be a more appropriate zoning.

"Rezoning the property to 'P' will give us, meaning the City, an opportunity to consider the appropriate public uses if and when the land is declared surplus. If the zoning were to remain C-2, I feel that the City administration, whichever it might be, would not be able to resist the temptation to sell this extremely valuable parcel because of the immediate revenues which would be available to it.

"As I see it, this re-zoning will create an opportunity for the City to carry out its policies properly.

"I have discussed this application with many people. The only opposition I have heard about is from the City's Real Estate department.

"I will give you copies of some of the letters of support I have from local organizations - the Telegraph Hill dwellers, SPUR, the Telegraph Hill Neighborhood Association, etc. In addition we have collected signatures of residents and owners of the area - mostly within the 300-foot radius of the property. These are shown on a map which I have prepared for your inspection.

"Other organizations, such as the Sierra Club, have offered their support but were unable to provide letters or representatives here today.

"We realize that this is not just a neighborhood issue and feel that, if necessary, we could collect 50,000 signatures --- because the issue is so clear.



"In one of the City Planning Commission's reports, 'Programs for Carrying Out the Improvement Plan for Recreation and Open Space,' on P. 11, the following statement appears:

'While many of the existing public open spaces (designated in this plan) are already zoned for public use, a large number are zoned for uses other than public uses, such as housing and commerce. Rezoning these publicly owned open spaces to 'P' would help preserve them.'

"We think this statement is particularly appropriate to this property because of:

"- the very high and increasing density of residents, tourists, office workers, and merchants

"- the proximity to Pier 35 and the passenger liners

"- the limited open space in this area

"Lastly, one other sewerage plant in San Francisco is already zoned P, as I think they all should be.

"I hope that you will recognize the clear rationale for changing the zoning now. The property has been in public use for over 20 years. Public land should be zoned 'P.'"

President Newman, remarking that the Commission was running behind schedule, asked if anyone was present to speak in opposition to the subject application.

Robert Levy, City Engineer, confirmed that the North Point Sewerage Treatment Plant is scheduled to be abandoned eventually; however, he advised the Commission that the abandonment would not take place before 1985. He stated that an economic analysis had been made in conjunction with the City's Master Plan for Waste-Water Management; and, in that economic analysis, cognizance was taken of the fact that the subject property is zoned C-2. Therefore, if the property were to be rezoned, the economic analysis would have to be changed. Insofar as abandonment of the facility will not take place for at least 12 years, given the fact that the site comprises 6½ acres, and in view of the fact that demolition of the existing facility will cost a considerable amount of money, he believed that it would be preferable to defer any change of zone until such time as the plant has been declared surplus and new development is being considered. He believed that approval of the application to rezone the property as requested at the present time would be extremely premature.

Wallace Wortman, Director of property for the City & County of San Francisco, stated that he had written to the Director of Planning expressing his concern about



the proposal to change the zoning of the subject property. He indicated that he, also, believed that rezoning of the property at the present time would be premature; and he emphasized that the Commission would, in any case, have an opportunity to review any future proposal for sale or lease of the property in terms of its conformity with the Master Plan. Thus, the Commission would be in a position to review any new development which might be proposed. He pointed out that the subject property is surrounded by C-2 and R-4 zoning; and he remarked that C-2 property, if developed residentially, can be developed to R-4 standards. In conclusion, he suggested that the best approach would be for the Director of City Planning, the Department of Public Works, and his office to work together to formulate a zoning recommendation at the proper time rather than for the Commission to arbitrarily rezone the property to "P" at the present time.

George White, representing Supervisor Molinari, advised the Commission that Supervisor Molinari strongly supported the proposal to rezone the property to "P."

Allan B. Jacobs, Director of Planning, emphasized that the proposed rezoning had not been initiated by the staff of the Department of City Planning; and, even if the property were to be rezoned to "P" at the present time, the Department of City Planning, the Department of Public Works, and the Real Estate Department would still be able to work together in the future to determine an appropriate zoning for future development of the property. He stated that the City Planning Code defines a public use district as applying to land owned by a governmental agency and in some form of public use, including public buildings when in conformity with the Master Plan; and he noted that the subject property is currently the site of the Northeast Sewerage Treatment Plant, a public use. He indicated that the Northern Waterfront Plan calls for the subject property to be used for institutional or public use; and he remarked that the subject property is currently owned by the City of San Francisco. He felt that it is in the public's interest to have land appropriately zoned for the use to which it is being put; and, in the case of a City-owned parcel as large as the one presently under consideration, he believed that "public" zoning would be most appropriate. Therefore, he recommended that the subject application, requesting reclassification of the property to "P," be approved.

Commissioner Fleishhacker, noting that most publicly-owned land of substantial size is already zoned "P," asked why the subject property had not previously been included in that zoning district. The Director replied that there are a number of publicly-owned parcels of property throughout the City which are not zoned "P." He stated that the staff of the Department of City Planning had made no effort to go around the City looking for those properties for the purpose of rezoning them on an ad hoc basis; however, when such properties have been included in larger rezoning issues, the staff has recommended that they be rezoned to "P." As a case in point, he noted that the staff had recommended and that the Commission had recently approved reclassification of 3 parcels of City-owned property in the Richmond District to "P" as part of a larger-scale rezoning in that area.



Commissioner Fleishhacker then asked how the subject property could be developed privately in the future if it were to be rezoned to "P" at the present time. The Director replied that the property could be rezoned in the future to allow private development of the property with an appropriate use. As a case in point, he noted that the Commission had taken action a couple of years ago to rezone the Presidio Car Barns to accommodate a private development which was then being considered.

Commissioner Mellon remarked that the subject property is valuable land; and he emphasized that it will not be declared surplus for at least 12 years. Furthermore, in view of the fact that the Commission could act to rezone the property at any time, he questioned the appropriateness of taking action to rezone the property at the present time.

The Director emphasized that there is a difference between the City's "P" zone and the City's open space (OS) zone. He stated that the Commission had zoned publicly-owned property for open space (OS) only when the property has, in fact, been undeveloped open space; and, in view of the present development on the subject site, he felt that open space zoning would be improper.

Commissioner Fleishhacker stated that rezoning of the subject property to "P" might be appropriate if the neighborhood were threatened with over-development; however, it did not appear to him that such a threat was likely.

The Director stated that it could be argued that reclassification of the property to "P" would give the City an opportunity to decide on the most appropriate type of development for the property in the future, whereas retention of C-2 zoning would create considerable pressure for the type of development permitted in that zoning district.

Robert Katz asked to be heard in support of the subject application. While Mr. Levy had contended that it is too early to plan for future development of the subject site, it was apparent that plans had already been made to sell the property at some future date. He remarked that the public rarely has an opportunity to be involved in planning well in advance; and he felt that it would be wise to rezone the subject property to "P" at the present time so that there would be a possibility of achieving new open space or some other type of development in the public's interest such as a garage, tennis courts or other types of recreational facilities. He remarked that all of the land owned by the Port is very intensely developed; and, as a result, there is a need for recreational facilities in the subject neighborhood.

Gerson Bakar stated that he was interested in the future of the subject neighborhood since he owns developments in the area. He remarked that changes are taking place which are bringing the relationship between developers and the public into an atmosphere of cooperation rather than one of confrontation; and he believed that the proposed re-



classification of the subject property at the present time would be in the best interests of the City as a whole. He remarked that no one present in the meeting room could predict what use of the subject site will be appropriate after 12 years have elapsed. If the zoning were to remain unchanged, a commercial project might eventually be proposed which would be opposed by citizens; and, as a result of their opposition, the proposal to declare the property surplus might be turned down. As a result, the City would lose revenues.

James Johnson, an attorney, remarked that the subject neighborhood is one of the most populated areas of the City. If the zoning of the subject property is not changed at the present time, he believed that the pressures for intensive development after 12 years have elapsed will be tremendous; and, conversely, if the property were to be reclassified at the present time, he believed that it would be all that much more difficult to develop the property commercially when it is declared surplus.

Mrs. Halstead requested that action on the subject application be deferred until all members of the Commission could be present.

Commissioner Porter moved that the application be approved, stating that she believed that City-owned property devoted to public use should be zoned "P." She also pointed out that many things can change over the next 12 years; and she felt that it would be desirable to be in a position to give consideration to the proper zoning of the property at that time.

When it was apparent that no second to the motion was forthcoming, President Newman relinquished the chair to Commissioner Fleishhacker and seconded the motion. When the question was called, Commissioners Newman and Porter voted "Aye;" and Commissioners Farrell, Fleishhacker and Mellon voted "No." Therefore, the motion failed.

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried 3 to 2 that Resolution No. 7083 be adopted and that the subject application be disapproved. Commissioners Farrell, Fleishhacker, and Mellon voted "Aye," Commissioners Newman and Porter voted "No."

ZT73.3 PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CITY PLANNING CODE WHICH WOULD ALLOW "PLACES OF AID," A FORM OF GROUP HOUSING, AS A CONDITIONAL USE IN R-1-D AND SUCCEEDING ZONING DISTRICTS.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter as follows:

"On August 2, 1973, you were informed of the receipt of this proposed amendment concerning 'places of aid' as a conditional use in R-1-D districts. This proposed amendment was introduced at the Board of Supervisors by Supervisor Feinstein at the time of passage of the definition of 'family.'"



"Under this amendment the Commission could grant conditional uses for housing arrangements administered by non-profit agencies, for rehabilitation of adults assigned or referred by the courts, with certain stated limitations.

"The amendment would add a new subsection (j) under conditional uses for R-1-D districts, as follows:

"Section 201.2 Conditional Uses, R-1-D Districts

* * *

'(j) 'Places of aid,' administered by a private, non-profit tax-exempt agency, for the rehabilitation of adult persons assigned or referred by courts of the United States or State of California, which offers board and lodging for persons so assigned, and where such housing will not impose burdens of parking, noise, density, disruption or general use inconsistent with the established character of the area. The number of uses of this type shall be strictly limited to protect the single-family character of the area.'

"Code sections listing all principal and conditional uses now permitted in R-1-D and R-1 districts are attached.

"The Delancey Street Foundation, presently operating group housing illegally on R-1-D property in Pacific Heights, would be the primary beneficiary of the proposed amendment. That Foundation accommodates persons referred or assigned by courts as well as persons not so referred or assigned.

"Other half-way houses operate in the City under existing provisions of the Planning Code. In R-2 districts such agencies might qualify for conditional use approval as philanthropic or eleemosynary institutions. Several half-way houses operate in R-3 and succeeding districts as principal permitted uses under the use provisions for boarding, rooming or guest houses."

Leon Markel, representing the West of Twin Peaks Central Council, requested that the scheduled public hearing on this matter be postponed for 60 days. He stated that the West of Twin Peaks Central Council represents approximately 25,000 people; and, since they had only learned of the proposed amendment last Tuesday, they had not had sufficient opportunity to advise or consult with their membership. He believed that the proposed amendment could have tremendous impact in single-family residential districts; and, out of 50 telephone calls which he had made concerning the proposal, 49



individuals had expressed their opposition to the proposal and only one individual had indicated support of the proposal. While he would be prepared to speak in opposition to the amendment if the Commission wished to continue with the scheduled hearing, he would not be able to provide factual information concerning the depth of feeling of residents of the area which he represented. He would be able to express only the opinions of the leadership of his organization.

President Newman noted that a large number of people were present in the audience who obviously wished to address the Commission concerning the proposed amendment. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishacker, and carried unanimously that the Commission would proceed with the hearing as scheduled and that it would decide whether to act on the matter or to take the matter under advisement at the conclusion of the hearing.

Daniel Weinstein, an attorney, stated that the proposed amendment had arisen from action taken recently by the Board of Supervisors in adopting an ordinance which amended the City Planning Code limiting to 5 the number of unrelated individuals who may live together in an R-1 district. At that time, two of the members of the Board of Supervisors had acknowledged that the new definition of family might work a hardship on certain community service organizations; and, as a result, Supervisors Feinstein and Gonzales and Moses Lasky, an attorney, had drafted the legislation presently under consideration which would allow "Places of Aid" to survive in residential areas instead of being relegated to industrial or ghetto areas. He then summarized and submitted the following letter from Mr. Lasky who was unable to attend the Commission's hearing:

"I understand that you have before you for consideration a proposed amendment to the Planning Code reading as follows:

'Places of Aid' administered by a private non-profit tax exempt agency for the rehabilitation of adult persons assigned or referred by courts of the United States or the State of California which offers board and lodging for persons so assigned and where such housing will not impose burdens of parking, noise, density, disruption or general use inconsistent with the established character of the area. The number of uses of this type shall be strictly limited to protect the single family character of the area.'

"I am familiar with the background and purpose of this proposal, and I earnestly urge you to approve its adoption by the Board of Supervisors.

"Every so often an opportunity presents itself to advance the cause of human decency greatly in a very simple way. This is one of those occasions. For years, as an observer in our State and Federal Courts, I have seen young people who, somehow, had gone astray come up before the



bar of justice to be sentenced. I have wondered whether the whole machinery of justice was achieving anything, with these poor waifs doomed to return again and again. As one of the chairmen of the San Francisco Committee on Crime only a few years ago, I had the same sad feeling. The problem seemed too much for the official system regardless of how much public funds were spent.

"In this background we see an operation such as 'Delancey Street.' Here private funds, together with the energy and dedication of people who have themselves had an unfortunate background, are achieving results. The bodies and souls of young people who otherwise might be lost are being saved. The City cannot afford to lose this achievement. The proposed amendment to the Planning Code will, in its own way, permit the operation to continue with its successes.

"The proposed amendment has been tightly written so as to exclude the possibility of abuses and to preserve the real values of zoning. In order to come within the provisions of the amendment, a 'Place of Aid' must be one so highly regarded by the Federal courts or the State courts that they have actually assigned or referred persons to it. That provision alone provides a tight screen and a stamp of approval. Then the proposed amendment contains the limitation that the housing will not impose on the area burdens of parking, noise, density, or disruption. The amendment thus protects the residents of an area in respect of all matters of substance, as distinguished from the hypothetical or imaginary.

"I sincerely commend the proposal to you and only regret that my own schedule prevents me from appearing before you in person to support it."

In conclusion, Mr. Weinstein assured the Commission that the legislation which was being considered had been carefully drafted; and he anticipated that many of the arguments which would be made in opposition to the legislation would be based on hypothetical scary situations.

Commissioner Fleishhacker, noting that "Places of Aid" are presently permitted in R-2, R-3, and other residential districts, questioned whether such organizations would actually be relegated to industrial areas or ghettos if the proposed amendment were not to be approved. Mr. Weinstein acknowledged that R-2 and R-3 areas are not industrial and that they are not necessarily ghettos; however, he emphasized that they are characterized by a different sort of housing than R-1-D and R-1 districts; and the type of housing which they do contain is not satisfactory for community service organizations.

Jim Herman, President of International Longshoremen's and Warehousemen's Union Local No. 34, urged that favorable action be taken on the proposed amendment to the

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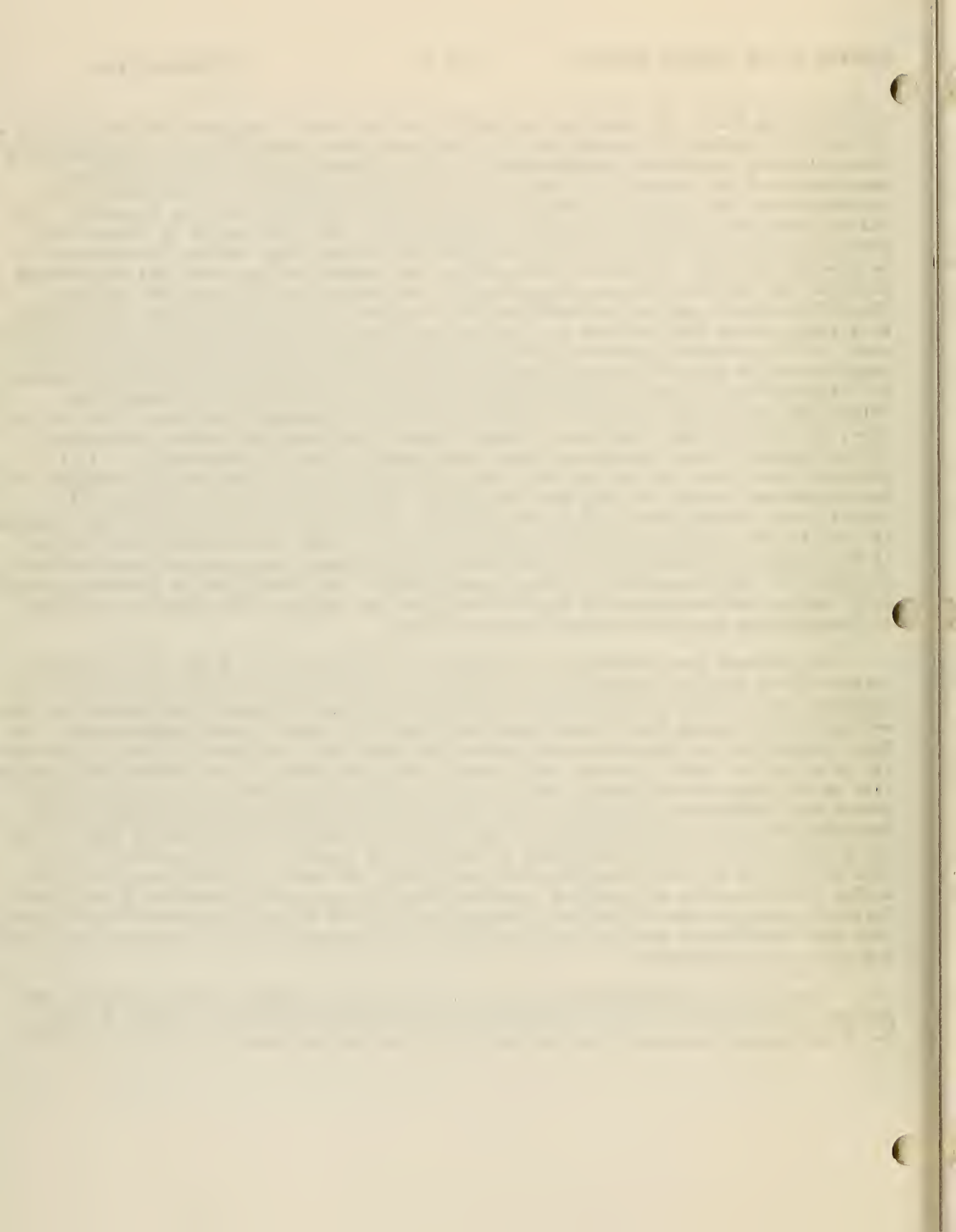
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City Planning Code. In doing so, he said he did not mean to suggest that the members of his union or workers in general would be impressed with indiscriminate zoning modifications allowing residential neighborhoods to deteriorate; however, if the proposed amendment were not adopted, at least one organization which has clearly earned its credentials in the community, the Delancey Street Foundation, would be dislodged. He did not feel that any one particular neighborhood in the City should be immune from certain uses anymore than any other neighborhood in the City; instead, there should be some reciprocity. He stated that some of the members of his union had experienced problems and had been in need of assistance. He had referred them to the Delancey Street Foundation; and he believed that the location of that facility was responsible to a large extent for the fact that those people had been able to return to productive work. If the proposed amendment were not to be approved, then he felt that the challenge should be given to the opponents of the legislation to come up with some successful alternative. If the proposed amendment were to be adopted, he believed that "Places of Aid" would be forced to abide by more than reasonable criteria; and, in any case, he believed that there was no need to speculate about the conduct and success of the Delancey Street Foundation which has clearly earned its credentials. As a matter of fact, none of the horrible things which people had imagined might happen had been borne out by what in fact had transpired. The Delancey Street Foundation is housed in an elegant area; and he felt that people housed by the foundation had adapted to life in the neighborhood in an admirable manner. Under the circumstances, he was of the opinion that the City must do whatever is necessary to guarantee the continued existence of the organization in that neighborhood. He stated that he lives on Potrero Hill; and he indicated that he did not feel that any neighborhood should be entitled to immunization from the problems of our society.

Dr. Richard Corn, Director of Treatment at the New Jersey State Prison and Consultant for a National Commission on Marijuana and Drug Abuse, stated that there is no evidence that "half-way houses" have a bad effect on good neighborhoods because no community in the country has allowed such facilities to remain in good neighborhoods. In fact, people in his profession have become convinced that two things which are impossible to do are to close a prison or to open a "half-way house." He remarked that people live in the grip of many fears, one of the most common of which is the image of dangerous and irredeemable "ex-cons." He noted that the Delancey Street Foundation had been "lucky" with its statistics thus far in that no evidence is available that it has had a bad effect on the neighborhood in which it is located. If the proposed amendment were to be approved, San Francisco would have the honor of being the first community in the country to permit a treatment facility such as the Delancey Street Foundation to exist in one of its better neighborhoods; and it would give testimony to the fact that an affluent society is making good on its promise to take "ex-cons" back into the life of the community.

Commissioner Fleishhacker asked Dr. Corn if he subscribed to the philosophy expressed by Mr. Weinstein to the effect that no residential districts except R-1 and R-1-D can support community service facilities such as the Delancey Street Foundation.



Dr. Corn replied that such facilities seem to exist only in slums or in the country. While it might be possible for such facilities to be located in other residential zoning districts, he had found that they are always located in the most deteriorated neighborhoods in major cities.

John Maher, President of the Delancey Street Foundation, predicted that he would annoy Mr. Mazzola and the Plumbers Union if he were to move his organization into the Sunset District and that he would annoy the Mexicans if he were to move into the Mission District. If he were to move into a warehouse district, other people in the area would probably think that the residents of his foundation were a bunch of thieves. While he expected that it might be possible for the foundation to exist in some other neighborhoods in San Francisco, he advised the Commission that the cheapest available space per square foot can be obtained in old abandoned mansions which are, in fact, cheaper than warehouses. He stated that the buildings in which his foundation is presently housed were previously unoccupied; and he indicated that the present residents of the buildings provide services for the neighborhood. He believed that people in the neighborhood like the residents of the foundation; and he indicated that he would be willing to abide by the results of a neighborhood vote if such a vote were to be taken within 5 square blocks of the buildings occupied by the foundation. In his opinion, bureaucratic procedures, no matter how reasonable, never apply to human beings; and he had found himself faced with two choices...either "to go to the Government trough and suck on the public nipples" or to continue to build businesses to sustain the residents of his foundation. He emphasized that not one of his men had been arrested during the 2½ years that the foundation has been in existence; and he suggested that the Commission might be surprised by the arrest statistics of other residents of the neighborhood. While he conceded that he and his associates were not the best guys in the world, he felt that the Commission should be aware that the Delancey Street Foundation is the only organization of its sort in the United States. Also, while the neighborhood in which the foundation is presently housed may be zoned R-1-D, apartment buildings, residence clubs, and consulates abound in the area. He believed that a poll of the neighborhood would lead to a friendly response to the foundation and its work; and he suggested that a minor exception from the rigid standards of the City Planning Code should be made for the foundation because of the work which it does. While people from other R-1 and R-1-D districts appeared to be scared about the prospects of similar institutional uses in their neighborhoods, they had not taken into consideration the fact that the Delancey Street Foundation is housed in "white elephant" houses which no one other than a Rockefeller could afford for single-family use; and, if those houses had existed in other areas of the City, they would have been subdivided into apartments renting for between \$150 and \$200 a month. In conclusion, he stated that his organization wished to be given permission to continue to use the buildings which they presently occupy.

President Newman asked for a show of hands of individuals present in the audience in support of the proposed text amendment. Approximately 12 people responded.



Robert Hogan, a Board member of the Pacific Heights Association, stated that notice of the present hearing had not been received in enough time to discuss the matter with the general membership of his organization; however, the issue had been discussed by the Board of Directors. He stated that his organization was primarily concerned with maintaining the family character of their neighborhood and with the preservation of older houses in the area; and, while they were not opposed to the Delancey Street Foundation per se, they felt that future organizations of that sort should be housed in apartment buildings or hotels and that the larger mansions in their area should be divided into 4 or 5 dwelling units for residential use. In view of those considerations, he would support passage of legislation to permit the Delancey Street Foundation to remain in its present quarters; however, he did not feel that any more uses of a similar nature should be permitted in the area in the future. After Commissioner Fleishhacker had asked for clarification of Mr. Hogan's position, Mr. Hogan stated that he would suggest that the Commission send the proposed legislation back to the Board of Supervisors with a negative recommendation but that it should also suggest that a special exception should be made for the Delancey Street Foundation.

James Brosnahan, attorney for several property owners in Pacific Heights, noted that the proposed text amendment which was under consideration was intended to have City-wide application; yet, in view of the fact that everyone who had spoken had mentioned the Delancey Street Foundation, it was obvious that the legislation had been worked out for the special purpose of effecting a compromise in the Delancey Street situation. However, he felt that it would be unwise for the Commission to adopt defective legislation which would have a City-wide effect merely to achieve that purpose. He stated that he saw three primary defects in the legislation. The first was that the legislation would allow individuals convicted of crime to enjoy a zoning variance while thousands of other citizens affiliated with missions or other types of community service organizations would not be able to enjoy the same benefits; and he believed that that inconsistency in the legislation would be insurmountable. He could not understand how anyone would be willing to pass such a statute. The second defect which he saw in the proposed legislation was that it would place no limit on the types of crimes involved nor on the number of individuals permitted to be housed in "Places of Aid" in R-1 and R-1-D neighborhoods. The third point which he wished to make was that it should be reasonable for people who reside in a particular neighborhood to have a concern about the type of residents which might be brought into their area if the proposed legislation were to be adopted. Since the proposed legislation would place no limitation on the number of people who could be housed in a single building designated as a "Place of Aid," he could imagine as many as 1,000 people being lodged in a large home in a single-family residential district; and he remarked that no good argument had been offered to demonstrate that it would be impossible for "Places of Aid" to function with 5 or 10 individuals living together in an R-2 district.

Mrs. Ella Cahn stated that she does not live in Pacific Heights but indicated that she does live in an R-1 district; and it seemed to her that the matter presently under discussion should properly be before the Police Commission or the Social Services

The first part of the paper discusses the importance of the study of the history of the United States. It is pointed out that the study of history is not only a means of understanding the past, but also a means of understanding the present and the future. The author argues that the study of history is essential for the development of a nation and for the well-being of its people. He also discusses the role of the historian in society and the importance of the historical method.

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Commission rather than the City Planning Commission. Although the proposed legislation had been drafted to apply to all R-1 and R-2 districts, it was in effect, very privileged legislation designed to serve the specific interests of the Delancey Street Foundation. She believed that the City Planning Commission and the Board of Supervisors had been wise in adopting a definition of a "single family" as 5 unrelated individuals; and she pointed out that the uses permitted by the legislation presently under consideration would be inconsistent with the adopted single-family definition. In conclusion, she remarked that it would probably be very costly for the Department of City Planning to police the uses which would be permitted by the proposed legislation; and, in addition, it would be costly for the Police Department to monitor the parking problems which such uses would generate.

Robert Lilienthal, 1 Spruce Street, remarked that individuals who had spoken in support of the proposed text amendment seemed to have been oblivious to the fact that many of San Francisco's neighborhoods have been engaged in a struggle to maintain their single-family character; and, at the same time, they had failed to recognize that there are places in San Francisco where uses such as the Delancey Street Foundation would be most properly located. He indicated that the Delancey Street Foundation had started as a small group with no assignments from the courts; and, in spite of the fact that the Zoning Administrator had been promised that the group would remain small in size, that promise had not been kept. He also emphasized that Mayor Alioto had recently spoken on the need for preserving the City's residential neighborhoods and for providing security in the streets. While Mr. Maher had stated that old mansions cannot be sold, he reminded the Commission that many older mansions had been sold and demolished to make way for new construction. He also remarked that Section 101 of the City Planning Code, which states the purposes of the Code, specifies that the Code is intended to "promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare;" and, in addition, a further stated purpose of the Code is "to protect the character and stability of residential, commercial and industrial areas within the City, and to promote the orderly and beneficial development of such areas." Mr. Lilienthal informed the Commission that psychiatrists have taken the position that there is no way to predict whether people who have had problems will become violent again in the future. He regarded the Delancey Street Foundation as a "non-detention home for criminals;" and, in view of the fact that 19 people had already disappeared from the Delancey Street Foundation, he thought it was clear that such an institution does threaten the safety of the neighborhood. He stated that neither the Delancey Street Foundation nor Synanon had ever abided by local laws in the past; and he did not expect that they would do so in the future. Therefore, if the proposed legislation were to be adopted, he questioned whether official City inspectors would be admitted to the premises of the Delancey Street Foundation to make inspections or if they would be banned and threatened as they had been in the past. If no inspectors were to be permitted on the premises, people would have no way of knowing whether the operation was being run in accordance with the proposed legislation. He, also, felt that the proposed legislation was deficient in that it would set no limits on the type of offenders permitted to be housed in "Places of Aid;" and he felt that it might be wise if residents of such institutions were to be subjected to

psychiatric analysis before being referred to "Places of Aid" by the courts. Furthermore, he believed that it would be better for "Places of Aid" to be housed in apartments in more densely zoned areas. The proposed legislation would provide that "Places of Aid" would not impose burdens of "parking, noise, density, disruption or general use inconsistent with the established character" of areas in which they would be located; however, it seemed to him that language of that sort was too imprecise to be sustained by the courts. In conclusion, he urged the Commission to take the position that "Places of Aid" should be located in multi-family residential areas rather than in R-1 or R-1-D districts.

Commissioner Mellon, noting that Mr. Lilienthal had placed great stress on the hazards and dangers which might be created in R-1 and R-1-D districts by "Places of Aid," asked if he did not feel that the same hazards and dangers would prevail in R-2 and other residential districts. Mr. Lilienthal replied that he was totally in favor of ethnic integration; but he indicated that he did not believe in economic integration because such integration does not work. He stated that it was his firm belief that "Places of Aid" do not belong in single-family residential areas.

Edward J. Reidy, a member of the Lakeside Homeowners Association and a member of the Zoning Committee of the West of Twin Peaks Central Council, felt that the proposed text amendment presently under consideration was a very poor one. He stated that the purpose of R-1-D zoning is to create single-family neighborhoods with a minimum of traffic congestion or other sorts of disruption; and he advised the Commission that the organization to which he belongs had fought for the recently adopted single-family definition in order to protect the single-family residential character of their neighborhood. He remarked that the proposed legislation would have a City-wide effect in spite of the fact that it was being proposed for the benefit of a single organization; and he indicated that the proposed text amendment, which was directed toward the social purpose of rehabilitating people, would add nothing to the purpose of residential zoning. While the proposed legislation indicated that "Places of Aid" could not impose burdens on the residential neighborhoods in which they would be located, the fact was that such institutions, by their very nature, would have to impose considerable burdens on any single-family district. All in all, he believed that the language of the proposed ordinance was extremely vague; and, as a case in point, while the legislation would provide that "the number of uses of this type shall be strictly limited to protect the single-family character of the area," no indication was given as to how that provision would be enforced. In conclusion, he stated that he regarded the proposed text amendment to be one of the worst pieces of legislation that he had ever seen.

Charles B. Stark, President of the Jordan Park Improvement Association, stated that his organization had not received sufficient notice to be able to contact the members of their group to discuss the proposed text amendment; however, 12 members of the Board of Directors of the organization had met on Tuesday and had voted to oppose the proposed amendment. In taking that action, they had not been thinking specifically of the Delancey Street Foundation but rather of protecting the single-family



residential character of their neighborhood. He stated that a letter had been submitted to the Commission with the signatures of the people who had voted to oppose the proposed amendment.

Alvin Hayman, 3000 Pacific Avenue, stated that he lives in an R-1-D district; and he reminded members of the Commission that people who live in R-1-D districts would like to think that they could enjoy a certain amount of quiet and lack of congestion. He believed that the Commission should vote for a disapproval of the proposed amendment because the congestion which "Places of Aid" would generate would defeat the purpose of R-1-D zoning. He was of the opinion that the Delancey Street Foundation has done an excellent job of rehabilitation; but, with people leaving the foundation's headquarters for work in the morning and arriving back late at night, the use has generated more noise and congestion than is appropriate for an R-1-D neighborhood.

Leon Markel, President of the West of Twin Peaks Central Council, stated that he felt that the proposed legislation was unnecessary, unfair, and too imprecise. He believed that there should be alternatives to the proposed legislation; however, he felt no responsibility for making suggestions to that end. He stated that the West of Twin Peaks Central Council was opposed to the proposed amendment based on their experience with similar uses in the past. He stated that the residents of St. Francis Woods pay approximately \$100,000 a year to maintain landscaping in their area; and, in addition, neighborhood organizations belonging to the West of Twin Peaks Central Council provide many other types of services for the City. He stated that neighborhoods located west of Twin Peaks have already been hit hard by the parking and traffic congestion generated by San Francisco State and City College; and he believed that passage of the proposed amendment, allowing "Places of Aid" in single-family residential districts, would be just another nail in the coffin of R-1-D zoning. He felt that the day may eventually come when a realization will develop that certain sections of the City should be set aside in perpetuity. Otherwise, if single-family residents are not wanted in the City, they should be told so by City Hall and they would probably be willing to move out of the City.

Lee Park, Jr., 52 Parker Avenue, stated that he is a member of the Board of the Seventh Step Foundation. If the proposed legislation had really been designed specifically for the Delancey Street Foundation, he suggested that the foundation should be granted a variance instead. If Delancey Street has generated a traffic problem, it has probably also generated a noise problem; and, given an institution of that size he did not feel that it would be feasible to have a policing program which could keep noise and traffic congestion to an R-1 level. He stated that his organization has sought space in R-2, R-3, and R-4 districts nationally; and they had found those areas to be satisfactory for their work. He felt that the Delancey Street Foundation should do the same.

Raymond P. Haas, 4510 Green Street, spoke as President of the Cow Hollow Improvement Club. He emphasized that his organization had made a serious effort to



preserve the R-1-D and R-1 character of their residential neighborhood. When the new single-family definition had been discussed before the Board of Supervisors, an argument had been made to the effect that the basic philosophy of the City Planning Code is wrong and that there should be diversity in residential neighborhoods throughout the City instead of havens of single-family dwellings. He regarded that as an understandable philosophy; and he expected that it would be studied during the course of the City-wide residential zoning studies which the Department of City Planning is just undertaking. However, given the existing provisions of the City Planning Code, he did not understand how the Commission could possibly pass an amendment such as the one proposed which would allow conditional uses which would be neither residential nor low-density in character to be established in R-1 and R-1-D districts.

Malcolm E. McPherson, representing the Pacific Heights Neighborhood Council, summarized and submitted the following prepared statement:

"Pacific Heights Neighborhood Council is opposed to loosening zoning requirements to accommodate 'Places of Aid' in family residential areas for the rehabilitation of offenders for the following basic reasons:

- "1. Lower zoning is designed to protect family type neighborhoods from just such incompatible uses as this. Even as a conditional use for an R-3 district under present zoning requirements, institutions primarily for treatment or care of drug or liquor addicts must occupy an entire City block, or a lot not less than three acres in area, and no building can be closer than 100 feet from any lot in an R district. Without these restrictions you must go to a C zoned district. This amendment would permit such uses in R-1 districts without such limitations.
- "2. Contrary to what the wording of this proposed amendment says, we believe there is no such thing as an R-1 neighborhood in which this 'general use would not be inconsistent with the established character of the area.' This use should be permitted only in areas where high density and boarding house uses are the established character or in C zoned areas...
- "3. This zoning is a more intensive use and a more transient use than a lower zoned residential neighborhood contemplates and, by this fact alone, is incompatible and undesirable.
- "4. We question the rehabilitative benefit to be gained by persons in difficulties with the law through living in affluent neighborhoods, particularly a benefit commensurate with the damage done to the neighborhood.

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The second part of the paper is devoted to a discussion of the structure of the nucleus. It is shown that the structure of the nucleus is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The third part of the paper is devoted to a discussion of the structure of the molecule. It is shown that the structure of the molecule is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The fourth part of the paper is devoted to a discussion of the structure of the crystal. It is shown that the structure of the crystal is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The fifth part of the paper is devoted to a discussion of the structure of the liquid. It is shown that the structure of the liquid is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The sixth part of the paper is devoted to a discussion of the structure of the gas. It is shown that the structure of the gas is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The seventh part of the paper is devoted to a discussion of the structure of the plasma. It is shown that the structure of the plasma is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The eighth part of the paper is devoted to a discussion of the structure of the solid. It is shown that the structure of the solid is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The ninth part of the paper is devoted to a discussion of the structure of the liquid crystal. It is shown that the structure of the liquid crystal is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The tenth part of the paper is devoted to a discussion of the structure of the polymer. It is shown that the structure of the polymer is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

- "5. Uses such as this can form a focal point for blight. Immediate neighbors will have a tendency to sell (if possible) and move out. Newcomers will tend not to carry on the family-with-children tradition in the vicinity of such uses. This tendency can spread, weakening the fragile fabric of a family neighborhood and eventually threatening its survival.
- "6. Big city urban family neighborhoods are at a crossroads with continuing and accelerating flight to the suburbs of middle income families. Such encroachments as this on neighborhoods, causing fear and uncertainty, accelerates this undesirable trend.

"We are not taking the position of opposing rehabilitation of offenders. We do take the position that such experiments in family neighborhoods is too high a price to pay. Rather than loosening zoning controls, we feel that they should be tightened with all conditional uses and all variances granted strictly on the basis of what is good for the neighborhood and not on the basis of what may help some outside individual or group.

"We urge that this amendment be rejected."

Anthony J. Damato, President of the Monterey Heights Homes Association, stated that his organization had received little advance notice of the present hearing; however, the Board of Directors of his organization had asked him to voice their opposition to the proposed text amendment.

George A. Bangs, representing the Miraloma Park Improvement Club, stated that his club had not received enough notice of the present hearing to enable even their Board of Directors to meet to discuss the proposal; however, it was his personal opinion that passage of the proposed legislation would not be proper.

Allan B. Jacobs, Director of Planning, asked if the Commission wished to receive his recommendation at this point or if it wished to take the matter under advisement as requested at the beginning of the meeting by Mr. Markel. After discussion, the Commission indicated that it wished to conclude the hearing and to receive the Director's recommendation.

The Director read his recommendation to the Commission as follows:

"The proposed amendment before you was developed to meet the needs of the Delancey Street Foundation in its attempt to legalize its two group residences in an R-1-D area in Pacific Heights. Existing provisions of the Code do not allow group housing in R-1-D or R-1 districts. Group housing is allowed as a conditional use in R-2 and as a principal permitted use in R-3 and succeeding districts.

The following is a list of the names of the members of the American Medical Association who have been elected to the office of President for the year 1902.

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The Department recommends disapproval of the proposed amendment for several reasons.

"First, the present provisions of the Code are adequate. Half-way houses and other types of group housing have been operating legally in San Francisco for many years, mostly as principal permitted uses in R-3 and R-4 districts. There appears to be no need to accommodate group housing in R-1-D and R-1 districts. Parenthetically I would observe that locations in C-2 districts might be the most appropriate for the Delancey Street Foundation because of its need for administrative office space from which it manages its various commercial enterprises.

"Second, the proposed amendment is not in harmony with related reactions of the Code. Instead of the 'boarding, rooming and guest house' language of the existing sections, it sets forth an entirely new term, 'Places of Aid,' for what is substantially the same group housing use. The requirement that residents of 'Places of Aid' be assigned or referred by state or federal courts is not essential to the use being considered. How such residents come to the group housing situation is not germane to the purposes of Article 2 of the Code. What is germane is the regulation of uses and densities according to categories of residential districts.

"Also, we do not find it appropriate to list the 'burdens' which such a use may not impose on a neighborhood. Subsection (c) of Section 303 already sets forth the criteria which must be met in every case for conditional use approval. The list which is part of the proposed amendment adds nothing to those criteria, and it may simply raise a doubt about the ability of such 'Places of Aid' to meet the existing criteria for conditional uses."

Michael Berger, an attorney, advised the Commission that he had participated in the drafting of the proposed text amendment. He indicated that the text amendments had arisen out of the Board of Supervisors' deliberations over the recently adopted definition of a single family. At that time, members of the Board of Supervisors expressed a concern for social justice and a desire to do what was right. For those reasons, Supervisor Feinstein had voted for adoption of the new single-family definition but had then requested that an additional text amendment be prepared which would achieve what she felt to be right and fair while still complying with the essential provisions of the City Planning Code. The intent of the proposed legislation was not to drive a wedge into R-1 districts or to suggest in any way that only criminals be allowed to live in such areas. He remarked that Dr. Corn and Mr. Maher, who are experts in the field of drug rehabilitation, had learned from experience that you cannot rehabilitate drug addicts in neighborhoods such as the Fillmore District or Hunters Point; and he believed that no neighborhood should be immune from the social

THE HISTORY OF THE UNITED STATES OF AMERICA

The first part of the history of the United States of America is the period from the discovery of the continent by Christopher Columbus in 1492 to the establishment of the first permanent settlements. This period is characterized by the exploration of the continent by Spanish, French, and English explorers, and the establishment of the first permanent settlements by the English in 1607.

The second part of the history of the United States of America is the period from the establishment of the first permanent settlements to the American Revolution in 1776. This period is characterized by the growth of the colonies, the struggle for independence from Britain, and the establishment of the United States as a new nation.

The third part of the history of the United States of America is the period from the American Revolution to the present. This period is characterized by the growth of the United States as a world power, the Civil War, the Reconstruction period, and the modern era of the United States.

The fourth part of the history of the United States of America is the period from the present to the future. This period is characterized by the continued growth of the United States as a world power, the challenges of the future, and the hopes for a better future.

The fifth part of the history of the United States of America is the period from the future to the end of time. This period is characterized by the continued growth of the United States as a world power, the challenges of the future, and the hopes for a better future.

problems of our society. In conclusion, he emphasized that the Commission had the authority to amend or revise the language of the proposed legislation and that it need not limit itself to saying "YEA" or "NAY" to the language of the draft amendment.

President Newman asked if it was true that the Commission could amend or revise the language of the proposed text amendment. Mr. Steele replied in the affirmative.

Mr. Berger stated that the Delancey Street Foundation had sought substantial housing in R-2 zoning districts and had not been able to find suitable quarters; and he remarked that the Seventh Step Foundation has not been able to do an effective job in the facilities, such as boarding houses, which they have been forced to occupy.

Commissioner Fleishhacker remarked that most boarding houses were probably originally constructed as single-family dwellings; and, in order to turn them into the type of facility needed by the Delancey Street Foundation, he expected that all that one would need to do would be to remove the locks from doors between connecting rooms.

Mr. Berger stated that the property occupied by the Delancey Street Foundation at present is located only one block from similar buildings which are used as private clubs, schools, or hotels; and, if the City Planning Code has any orientation toward serving the social good of the community, he felt that the proposed legislation should be adopted so that the Delancey Street Foundation would be permitted to remain in its present quarters.

Commissioner Porter stated that many neighborhood organizations throughout the City had made every effort possible to preserve the low density of their R-1 and R-1-D districts; and, while she had a great deal of admiration for the Delancey Street Foundation, she did not feel that an institution housing from 30 to 100 people should properly be located in a single-family residential area. She remarked that the members of the Commission, as planners, have a responsibility to try to plan for the benefit of San Francisco as a whole; and, in view of that responsibility, she felt that the proposed text amendment should be disapproved.

The motion was seconded by Commissioner Fleishhacker who echoed the remarks which had been made by Commissioner Porter. From his knowledge of the Delancey Street Foundation, he regarded it as a very fine organization. However, the real issue before the City Planning Commission did not deal specifically with the Delancey Street Foundation as evidenced by the fact that the Delancey Street Foundation was not mentioned in the draft of the proposed legislation. He indicated that he also had a great deal of respect for Mr. Lasky and his reputation as an attorney; yet, in spite of Mr. Lasky's participation in the drafting of the text amendment, he regarded it as one of the worst pieces of legislation he had ever seen. The legislation was extremely broad and imprecise; and, if it were to be enacted, he did not know how it could be policed by the Department of City Planning. He acknowledged that the Delancey



Street Foundation does have a problem; but he believed that their problem should be solved in some manner other than by adoption of the proposed text amendment. He believed that Delancey Street had not made any effort to look for adequate facilities elsewhere before taking the two mansions which it presently occupies; and, in occupying those mansions, it had known that it was doing so illegally. In conclusion, he stated that proposed amendments to the City Planning Code should be written by people who understand the language of the present Code.

Commissioner Mellon stated that he was sympathetic to the problems being faced by the Delancey Street Foundation; but he agreed that it would be impossible for the Commission to approve the proposed text amendment.

Commissioner Farrell believed that adoption of the proposed text amendment would lead to a further exodus of families with children from the City.

President Newman felt that it was unfortunate that much of the discussion of the proposed amendment had been focused on the Delancey Street Foundation, which is a fine organization; however, in view of the City-wide effect which adoption of the legislation would have, he could not vote in favor of it. He stated that he is active in organizations dealing with the handicapped and the blind; and he remarked that they, also, had experienced difficulty in locating suitable quarters because they are prohibited in R-1 districts. However, while finding adequate quarters elsewhere may be difficult, it is not impossible.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7084 and to disapprove the proposed text amendment.

The meeting was adjourned at 6:05 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud. The document also notes that records should be kept for a sufficient period of time to allow for a thorough audit.

The second part of the document describes the various methods used to collect and analyze data. It includes a detailed discussion of the sampling process, which involves selecting a representative subset of the population for study. The document also covers the use of statistical techniques to analyze the data and to draw conclusions about the population as a whole.

The third part of the document discusses the ethical considerations that must be taken into account when conducting research. It emphasizes the importance of obtaining informed consent from all participants and of protecting their privacy. The document also notes that researchers must be transparent about their methods and findings and must avoid any conflicts of interest.

The fourth part of the document discusses the practical aspects of conducting research, including the selection of a research topic, the design of the study, and the collection of data. It provides a detailed overview of the research process and offers practical advice on how to conduct a successful study.

Conclusion

Page 1

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 11, 1973.

The City Planning Commission met pursuant to notice on Thursday, October 11, 1973, at 2:00 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, and John Ritchie, members of the City Planning Commission.

ABSENT: Thomas J. Mellon and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Richard Gamble, Planner IV; Alec Bash, Planner III; Marie Zeller, Planner III (Administrative); Wilbert Hardee, Planner II; Michael Cronbach, Planner I; Wally Stokes, Management Assistant; and Lynn E. Pio, Secretary.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of September 20, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reminded the Commissioners that they have been invited to join Mayor Alioto and Margot Patterson Doss for a walk along the full length of the new Golden Gate Promenade from Fort Point to Ghirardelli Square on Sunday morning, October 14, at 10:00 A.M.

The Director informed the Commission that the Department of City Planning, through the Real Estate Department, is acquiring additional office space at 1208 Market Street, immediately adjacent to the Department's offices at 1212 Market Street.

The Director advised the Commission that the date of the public hearing on interim residential district controls has been changed to Monday, November 19, 1973, at 7:30 P.M. in Room 282, City Hall.

EE73.140 - APPEAL OF NEGATIVE DECLARATION FILED BY THE DEPARTMENT OF CITY PLANNING FOR 8-UNIT APARTMENT BUILDING PROPOSED TO BE CONSTRUCTED AT 96 ROSSI AVENUE.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that a negative declaration had been filed for the proposed project on September 21. The negative declaration had been appealed by residents on Rossi Avenue; and he summarized their reasons for the appeal as stated in a letter which they had addressed to the Commission.

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The Commission then proceeded to hear from the following speakers: James Garrett, 73 Rossi Avenue; Lloyd Colvin, owner of the subject property; Mr. Colvin's daughter; Mr. Colvin's wife, and Mr. Colvin's son.

After discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried four to one that Resolution No. 7085 be adopted, that the negative declaration be overruled, and that an Environmental Impact Report be required for the proposed project. Commissioners Farrell, Newman, Porter, and Ritchie voted "Aye;" Commissioner Fleishhacker voted "No."

A standard tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription.

R73.51 - ESTABLISHING OFFICIAL SIDEWALK WIDTH ON BOTH SIDES OF FULTON
AND MCALLISTER STREETS AT BUCHANAN STREET.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that consideration of this matter be postponed until the Commission's meeting on October 18, 1973.

R73.52 - PROPOSED VACATION OF PORTIONS OF BUCHANAN STREET AND BIRCH STREET.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that consideration of this matter be postponed until the Commission's meeting on October 18, 1973.

At 3:00 P.M. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:10 P.M. for hearing of the remainder of the agenda. President Newman was absent for the remainder of the meeting; and Vice President Porter assumed the chair in his absence.

EE73.88 - CONTINUATION OF PUBLIC HEARING AND PRESENTATION OF STAFF
REPORT ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR PRO-
POSED EXPANSION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT.
(CONTINUED FROM MEETING OF SEPTEMBER 27, 1973)

The Commission received comments from the following members of the audience: Irwin Ellengerber, 861 Bauer Drive, San Carlos, who stated that he had a labor affiliation; Robert Jirka, representing the San Mateo Central Labor Council and the International Association of Machinist and Aerospace Workers; Charles Starbuck, representing the San Francisco Ecology Center; Gil Bailie, 100 Varennes; Susan Smith, representing San Francisco Tomorrow; and Adam Sparks.

At the conclusion of the hearing, it was moved by Commissioner Farrell, seconded by Commissioner Fleishhacker, and carried unanimously that this matter be continued under advisement until the meeting of October 18, 1973.

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF THE HISTORY OF ARTS
OFFICE OF THE CURATOR OF THE MUSEUM OF ARTS
CHICAGO, ILLINOIS

TO THE HONORABLE SENATE OF THE UNIVERSITY OF CHICAGO
IN RESPONSE TO A RESOLUTION PASSED AT ITS MEETING OF
MAY 15, 1906, RELATIVE TO THE MUSEUM OF ARTS
AND THE UNIVERSITY OF CHICAGO PRESS

REPORT OF THE CURATOR OF THE MUSEUM OF ARTS
FOR THE YEAR 1906-1907

PRESENTED TO THE SENATE AT ITS MEETING OF
MAY 15, 1907

BY
ALFRED D. COOK, CURATOR OF THE MUSEUM OF ARTS

CHICAGO: THE UNIVERSITY OF CHICAGO PRESS
1907

A standard tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription. In addition, a court reporter in the employ of the Airports Commission was present and will prepare a transcript of the proceedings.

The meeting was adjourned at 3:55 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 25, 1973.

The City Planning Commission met pursuant to notice on October 25, 1973, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, John Ritchie and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Lucian Blazej, Planning Coordinator; Charna Staten, Planner III; Moira So, Planner III; Robert Feldman, Planner II; Emily Hill, Planner II; Carl Nes, Planner II; Linda Ferbert, Planner I; Wally Stokes, Management Assistant; and Marie Zeller, Acting Secretary.

Donald Canter represented the San Francisco Examiner, Larry Liebert represented the San Francisco Chronicle; and Carol Kroot represented the San Francisco Progress.

1:00 p.m. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties to be considered during the Zoning Hearing to be held on November 1, 1973.

2:15 p.m. - 100 Larkin Street

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that Urban Design Plan had received the Meritorious Program Award from the American Institute of Planners at their conference in Atlanta. The theme of the conference was New Federalism.

At this point in the proceedings, Commissioner Ritchie arrived in the Commission room and assumed his seat at the Commission table.

The Director presented the Commission with a Resolution of Intention to hold a hearing on interim residential zoning controls:

"On September 6, the Commission requested that the staff prepare, in as short a time as possible, and present to the Commission, its recommendations as to the form and desirability of interim controls relating to Residential zoning.

THE UNIVERSITY OF CHICAGO

IN THE DEPARTMENT OF THE HISTORY OF ARTS

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"Based upon its study, and consultations with the neighborhoods and various other interests involved, the staff has concluded that certain interim controls ought to be recommended, and it will be prepared to present its recommendations to the Commission next week, on November 1. The form of such controls has been reviewed and discussed with a committee of the Commission.

"The scheduling of a date for a hearing on these proposals has had certain limitations, in that there are other commitments of time and the normal meeting day three weeks after our presentation falls on Thanksgiving. Many of the people interested would like an evening hearing, and we have chosen Monday evening, November 19, as discussed with you earlier.

"In order that the public hearing may be properly advertised for the 19th, it will be necessary to have a Commission Resolution of Intention to hold such a hearing. This resolution is an initiation of the hearing process for Code amendments, but it does not impose a freeze of any kind, and of course it does not pass upon the merits of the staff's recommendations that will be presented next week. A draft resolution is before you for your consideration."

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and unanimously carried to adopt Resolution No. 7092 declaring the Commission's intention to hold such a public hearing.

The Director noted that the Commission had received a letter from Richard Felciano requesting discretionary review of a project proposed for 795 Buena Vista West. He indicated that the staff was reviewing the project and would be prepared to recommend to the Commission the following week whether or not to hold such a hearing.

The Director informed the Commission that the resolution on re-zoning the GAFF area (Geary, Anza, Fulton and Funston) and Ripley Street in Bernal Heights were unanimously adopted on first reading by the Board of Supervisors with an 11-0 vote.

Commissioner Ritchie noted he had, on previous day, gone to the dedication of a rehabilitated Victorian house on Dolores Street; at the same time the Redevelopment Agency was knocking over another Victorian structure. He suggested that a letter be sent to the Redevelopment Agency requesting that Agency take care not to do such a thing. He thought perhaps the Landmarks Preservation Advisory Board should be reimbursed for the amount of money lost by its destruction. Commissioner Fleishhacker indicated that he would be glad to support the letter but not the request for remuneration. Commissioner Farrell asked whether the demolished structure was one destined for the proposed Victorian Village. He was answered in a negative.

...the University of the South Pacific, which is the only one of its kind in the Pacific region. It was established in 1968 and is now the largest university in the Pacific region. It has a wide range of faculties and departments, and is known for its high standards of education and research.

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It was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker and unanimously carried to send a letter to the Redevelopment Agency, with a copy to the Landmarks Preservation Advisory Board, noting that the Commission was aware that the National Registry Property at 1334 Scott Street had been demolished, and asking the Agency to take care that this type of demolition of an historical landmark not happen again.

CONSIDERATION OF TRANSIT PREFERENTIAL STREETS PROGRAM

Allan B. Jacobs, Director of Planning, introduced the Report on Transit Preferential Streets as follows:

"Today being presented to you is the Transit Preferential Streets Program, a joint study by the Department of Public Works, the Municipal Railway and the Department of City Planning. This report is the result of action by the Board of Supervisors in March of this year, when it passed a resolution declaring that Municipal Railway vehicles and other transit vehicles be given priority over other vehicles on the streets and requesting that the three departments develop within 6 months a system of transit preferential streets for San Francisco.

"This resolution was based on a policy and map contained in the Plan for Transportation, adopted by the City Planning Commission as part of the City's Master Plan in April, 1972. This policy states: 'Improve the speed of transit travel and service by giving priority to transit vehicles where conflicts with auto traffic occur, and by establishing a transit preferential streets system.' The map, called the 'Transit Preferential Streets Plan,' indicated all those streets on which transit should, because of its importance in moving large numbers of people, have preference in the use of the street. A transit preferential street is defined as one which carries a high volume of transit person trips or has a potential to do so, and where interference by other vehicular traffic should be minimized--or eliminated--in order to improve transit travel time and reliability.

"The object of the program proposals developed by the three departments, as described in the report, is to provide reliable and efficient transit service by:

"(1) Improving the overall transit time of transit vehicles operating on designated transit preferential streets: and

"(2) Minimizing the conflicts between transit and other vehicles.

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"It should be noted that the Supervisors' resolution requesting the development of a Transit Preferential Streets Program is not an isolated 'Transit-first' action. In 1970, the Public Utilities Commission approved a \$44 million transit improvement program for the Municipal Railway, which involved new transit equipment, new rails, new servicing and storage facilities among other things.

"The Environmental Quality Act of 1969 mandated the reduction of auto emissions, and this year proposed a plan involving a major reduction in vehicle miles traveled, placing heavy reliance on public transit to get people where they want to go. The Federal-Aid Highway Act of 1973 has for the first time provided that highway trust funds can be used for the purchase of busses and rail transit vehicles. The State Legislature has approved a bill for the June 1974 ballot authorizing the use of part of the State's gasoline tax for transit construction. As early as 1953, other American cities established bus lanes and the number is growing.

"In short, the establishment of a system of transit preferential streets and a specific program of implementation actions is just one part of a range of actions needed to make transit a viable and attractive way for San Franciscans to move about their city."

The Director introduced Robert Levy of the Department of Public Works, Gerald Cauthen and Tom Standing of the Municipal Railway, who were present to answer questions that the Commissioners might have.

The Director then introduced Charna Staten, Planner III, of the City Planning Department, for the presentation of the Transit Preferential Streets Program. Ms. Staten introduced Tom Standing of the Municipal Railway who illustrated with slides conditions in Amsterdam and London which pointed out solutions to transit problems by the methods principally involving exclusive rights-of-way for transit and reverse transit lanes.

At this point in the proceedings, Commissioner Rueda arrived in the Commission room and assumed his seat at the Commission table.

Charna Staten reported on the Transit Preferential Streets Program as follows:

"When the problems of conflict between Muni and other vehicles were examined, there appeared to be three approaches to solving them:

- "(1) Street treatments and improvements,
- "(2) Administrative and other non-street related actions,
- "(3) Enforcement.

"The report before you is divided into three sections with proposals on each type of approach. In looking at the number of streets designated transit preferential, it was felt that a good program could not examine all these streets in six months and come up with solutions. So it was decided to establish criteria by which to select streets to a study for this first go round. These criteria were:

- "(1) Where there are a large number of transit-person trips compared to person trips,
- "(2) Where there are a large number of transit-person trips occurring during the peak and off-peak hours,
- "(3) Where there is a large transit travel demand between two or more densely developed areas,
- "(4) Where there are significant conflicts between transit and other vehicles.

"The streets selected were the following:

Post/Sutter, Geary/O'Farrell between Gough and Market,
Third and Kearny between Folsom and Bush
Fourth from Market to the S.P. Depot,
Mission from 24th to The Embarcadero,
Polk between Pacific and Golden Gate,
Stockton between the tunnel and Columbus
Fillmore and Divisadero between Clay and Duboce.

"Considering street treatments and improvements first, the report gives the problems on the street, each proposal, with pros and cons, the costs involved, and each Department's opinion. In each case, emphasis was placed on low-cost ways to eliminate conflicts and increase transit travel time.

"I would like to briefly outline some of the proposals. The maps on the wall are also contained in the report you have in front of you.

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OCTOBER 25, 1973

"Post/Sutter -- Muni lines: #1 California, #2 Clement, #3 Jackson (from Gough and #45 Van Ness/Sutter. to Market)

- Problems: (1) Muni has transit lane in peak hour only; during rest of day must use regular traffic lane.
- (2) Transit lanes are not clearly marked and often have illegally parked vehicles there after peak-hour starts, or are used for picking up or dropping off passengers.
- (3) Right-hand turns cause delays.
- (4) There is congestion due to deliveries.

"Since businesses have to have their deliveries and cars must make right turns, a compromise seemed to be an 18-foot lane next to the curb, giving busses part of the street all day, and allowing loading and turns to continue. This does mean removal of one lane of traffic.

"Muni and City Planning recommend that this be tried on Post and Sutter, and since the situation is similar on Geary and O'Farrell, extend it to these streets if it proves workable and helps Muni.

"Public Works feels this alternative is feasible for Post Street west of Taylor and Sutter west of Grant, but on the easterly segments of the street they feel this approach is unworkable where the pavement width is 38.9 feet.

"Because of the tremendous number of busses and cars using Kearny where #1, #2, #3, and #45 turn, and the resultant congestion, the report proposes rerouting the #1, #2, #3, and #45 directly down Post, onto Market and back up Sutter.

"City Planning and Muni agree that this proposal should be implemented as soon as Muni is underground on Market. DPW agrees with the concept of rerouting, but only for the diesel busses, in light of the decision to remove all trolley wires on Market Street.

"Third/Kearny -- Muni lines: #15, #30, #42.
(Folsom to
Bush)

- Problems: (1) Very heavy traffic on main artery to downtown.
- (2) Congestion problems at the intersections
(Kearny is particularly congested.)

"The solution proposed is an 18-foot bus lane next to curb, again to accommodate existing parking and cars turning right.

"City Planning feels the proposal should be implemented. Muni agrees, but feels that unless right-hand turns at Post, Mission, and Market are eliminated, the lane will not be exclusive. They feel a better alternative would be to isolate a center lane for Muni with loading islands in the street. North of Market the exclusive lane would be shifted to the curb lane with no parking on east side of Kearny. DPW concurs with this concept provided right-hand turns are permitted and 'no stopping at any time' is instituted on west side of street between Mission and Market and north of Market.

"Fourth Street -- Muni lines: #30 now; #15 and #42 will probably be rerouted there when S.P. Depot is completed (They now go Second to Brannan to Fourth). This street will be particularly important for transit if YPC is built.

Problems: (1) Major route to Bay Bridge and Highway 80.

- (2) Conflict between vehicles turning right at Harrison Street on-ramp and the busses.

"The best solution to conflict problems with transit, according to our research, is a reverse lane. On the streets studied this was not feasible. The second best solution appears to be a center lane which needs a wide street; Fourth Street is one of the widest. Therefore, this appears to be a possible solution for Fourth Street, with passenger loading islands in the street. This would allow for right-turn movements at the Freeway. There should be modifications of crosswalks and signals to be sure that the elderly living in the Clementina Towers area are provided for.

"City Planning and Muni feel this proposal should be implemented. DPW agrees with the concept, but feels that the situation on the street warrants a center lane only from the north side of Folsom Street to some point south of Harrison.

"Mission Street was studied in two sections because the problems are different.

"The first section dealt with is from Duboce to Embarcadero. Muni lines: #9, #11, #12, and #14. Heavy traffic and commercial demand.

"The report states that through traffic using this street should be encouraged to use Howard and Folsom, as these are the streets designed to carry through traffic.

"This can be done by the following:

- "1. On Folsom, complete one-way from Duboce or 14th;
- "2. On Howard, continue one-way to 12th Street;
- "3. Institute better signing on Duboce indicating directions to the freeway and bridge, and direct eastbound through traffic to use Folsom Street; and
- "4. Diversion of eastbound traffic on Mission at the intersections of 11th, 5th and 2nd.

"With this diversion, Muni feels that its most severe problem is with outbound transit, and that this can best be accommodated by an exclusive outbound lane from Beale to 11th. As traffic is diverted at 11th, 5th, and 2nd, an exclusive lane eastbound in those blocks would allow Muni, jitneys, and taxis to travel through the intersection.

"The concept of eastbound traffic diversion is agreed to by all departments. City Planning and Muni feel that these exclusive lanes should be implemented. DPW feels more study is needed for a definitive solution.

"16th to 24th -- This situation is similar to Polk between Streets Pacific and Golden Gate in that it is a very busy shopping area, with a lot of loading and unloading, people parking and circulating traffic, on a narrow street.

"What is proposed here is an extended sidewalk into the street as a bus stop passenger loading area. This would do several things: eliminate Muni's need to weave in and out of traffic to reach the bus zone, make a bus stop that cannot be parked in, provide the rest of the bus stop (some 45 to 60 feet) for the use of commercial vehicles loading and unloading. There is also an opportunity here to make the sidewalk nicer for the pedestrian and the rider by putting in trees and benches.

THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION
PUBLISHED WEEKLY
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Volume 33, No. 19

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"Since it is not known exactly what will happen on the street in terms of Muni's working, it is proposed that a trial at several stops on the west side of Polk (Where it is two traffic lanes wide) be tried, and if it works, try this solution on Mission between 16th and 24th Streets.

"There are administrative actions and enforcement means to effect transit preferential streets. Administrative actions proposed here include:

- Regular checking of traffic signals on transit streets. Incorrectly working signals can delay Muni considerably. The last check done by DPW showed 10 percent of the signals checked to be incorrectly working.
- Because Muni's rush hour in the evening is starting earlier and earlier, and because this period is when Muni has the most vehicles on the street and the biggest demand, it is proposed to start the evening peak tow-away at 3:30 p.m. instead of 4, with first priority for enforcement on transit preferential streets. This means that tow lanes could be cleared by 4. Now it is sometimes 4:30 or later before they are cleared.
- The Post Office has mail box pickups scheduled for 5 p.m. Mail boxes are usually located at bus stops on transit streets. It is proposed that there be better coordination with the Post Office to try and resolve these conflicts. The same problem exists with newspaper trucks at 5 p.m., and the same approach should be used.

"Everyone from the Muni driver to the Muni rider to the Director of Traffic knows that a lot of Muni's problems would be solved if everyone of the existing traffic regulations were obeyed and strictly enforced. To deal with the problems of double parking, parking in bus zones, and illegal parking in commercial zones, the report proposes:

- First attention be given to enforcement of regulations on transit streets.
- Additional police officers to enforce construction regulations during the peak hours. Now, there is only one officer in the morning and the evening, and none during the day.

- More traffic control-persons at intersections, full time, to keep them clear.
- Raising the minimum fine for double parking, parking in a bus stop, and illegally parking in the commercial zones to \$20. It is now \$10."

Regarding the proposal on Post-Sutter from Gough to Market, Commissioner Fleishhacker asked whether the proposal involved a reverse bus lane on Market Street. Ms. Staten replied in the negative, indicating that the bus would go down Post and into Market Street, utilizing a transit lane in the sidewalk plaza. Responding to a question from Commissioner Rueda, Ms. Staten indicated that there would be a left turn onto Market and then a left turn onto Sutter. Ms. Staten indicated that this would mean a time savings of approximately 3½ minutes for each Muni bus.

Regarding the Third-Kearny, Folsom to Bush proposal, Commissioner Ritchie asked how the heavy traffic would be handled with 18 feet taken out of the street for transit and parking. Ms. Staten responded that this proposal and the one on Post-Sutter would have the effect of removing one lane of traffic. Commissioner Ritchie observed that there were not continuous busses on the Third-Kearny Street area, but there were continuous cars. Ms. Staten responded that on this section of the street, there were over 100 busses an hour.

Regarding the proposal for Polk Street, Commissioner Porter asked whether this street had the least bus traffic, and whether the headway of the busses was ten minutes. She further asked whether or not the busses were relatively few compared to other areas. Ms. Staten responded that the problem on Polk was essentially a double parking problem, and that this proposal might help to alleviate this by providing more commercial parking space. Ms. Staten pointed out that the #19 bus that travels on Polk was a major cross town route.

Commissioner Fleishhacker observed that with this proposal one lane of traffic was essentially being eliminated, the parking lane. He further observed that if a vehicle wanted to make a right turn from Polk onto California, that vehicle would have to wait for the bus, or, on the other hand, the bus might have to wait for the vehicle, and that the vehicles wishing to turn right onto California would stack up. Commissioner Fleishhacker noted that anyone parking in that commercial area would have to pull into the bus lane to get out of the parking space. Ms. Staten indicated that this represented the situation which was occurring at the moment. Commissioner Fleishhacker observed that he did not see how this proposal would really make much difference. Mr. Jacobs indicated that the busses would not have to get over to the bus space at the curb. Ms. Staten pointed out that this proposal would eliminate the situation of the bus weaving in and out of traffic to get into the bus stop.

Ms. Staten indicated that it was proposed to do a trial run of this proposal on Polk Street for a ninety-day period after Christmas, and if that trial period was successful, to implement the proposal on Polk Street and on Mission Street between 16th and 24th Streets. Commissioner Fleishhacker asked whether the test for determining whether the trial was successful would be better movement of traffic. Ms. Staten responded in the affirmative and added that an additional test would be whether the busses could keep to their schedules.

At this point in the proceedings, Gerald Cauthen of the Municipal Railway observed that the test should consider the impact on the situation of the pedestrian traffic, the street traffic and the commercial area. Mr. Cauthen pointed out two other advantages of busses not having to shift lanes:

1. Senior citizens on the bus find it very difficult to stand up and remain standing when the bus moves from one lane to another;
2. Muni busses, pulling out of a parked position, often "clip" cars, causing quite a number of damage and injury claims against the Municipal Railway. Mr. Cauthen felt that eliminating the second situation would save the Municipal Railway a sizable amount of money.

Ms. Staten indicated that the study team had talked with the Polk Street Merchant's Association, and that they had indicated approval of the plan.

At the conclusion of the report, Mr. Jacobs, Director of Planning, pointed out that the format of the report was important. Each proposal was presented with the street and transit situation, the problems and solutions. Alternative solutions stating both pros and cons were presented, followed by the opinions and concerns of the three departments (Department of City Planning, Department of Public Works and Municipal Railway) responsible for the formulation of the report. Mr. Jacobs indicated further that final resolution as to the specific proposals to be implemented would be in the purview of the Board of Supervisors.

President Newman asked Robert Levy if he had any comments to make on the report.

Robert Levy, City Engineer for the Department of Public Works, indicated that he felt Ms. Staten had done a very good job, but stated that his department felt more detailed study should occur before any implementation. Mr. Levy pointed out that the streets were determined by the three departments using intuitive judgment. He further pointed out that "delay in transit" is really the following: time of running, time of conflict, time of signalization, and time for loading. He recommended that those times should be looked at very closely before any action is taken. He suggested that these times be measured before any implementation, and that the times be measured after

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CONFIDENTIAL

The first part of the report deals with the general situation in the country. It is a very interesting and detailed account of the political and social conditions. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The second part of the report deals with the economic situation. It is a very detailed account of the economic conditions and the various factors that are influencing the economy. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The third part of the report deals with the social situation. It is a very detailed account of the social conditions and the various factors that are influencing the society. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The fourth part of the report deals with the political situation. It is a very detailed account of the political conditions and the various factors that are influencing the government. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The fifth part of the report deals with the cultural situation. It is a very detailed account of the cultural conditions and the various factors that are influencing the culture. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The sixth part of the report deals with the military situation. It is a very detailed account of the military conditions and the various factors that are influencing the military. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

The seventh part of the report deals with the foreign relations situation. It is a very detailed account of the foreign relations conditions and the various factors that are influencing the foreign relations. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country.

implementation. He suggested a further look into the time reliability between any two given points; what is the slowest time and what is the fastest time. This, then, would indicate whether the intuitive judgment of the departments was right. Mr. Levy said that he had no quarrel with the report, requested that more detailed study be done as implementation occurs.

Gerald Cauthen of the Municipal Railway, felt that Mr. Levy was essentially correct about the testing. He indicated further that he felt that the departments must work together. He would, however, phrase the wording about testing a bit differently indicating that some time-table should be set. He felt that if some testing were necessary, it be done in such a way that the project can move ahead. Mr. Cauthen indicated further that he felt an exclusive bus lane on Mission would have an immediate and dramatic effect and would increase the quality of service of that street. He felt that was obvious. He allowed that there probably would be some fears with respect to these proposals, but cautioned against delay in implementation of the proposals. He felt that if they did not work, they could be abandoned.

Commissioner Porter pointed out that the only way to find out if these proposals would work would be to have some trial runs. She suspected that ultimately there probably would be changes. Mr. Jacobs pointed out that the staff had looked into the relatively easy things to do to effect changes, especially regarding costs. Mr. Jacobs further pointed out that time was passing, that the Environmental Protection Agency was coming out with more drastic solutions than these proposals indicated. He felt that the proposals should be tried and if more drastic measures need to be taken, they can be.

Commissioner Fleishhacker pointed out that there must be some scientific way of measuring the changes that would occur if these proposals were put into effect. He felt that a controlled experiment needed to have some controls so that the "before" and "after" could be compared. Responding to a question from Commissioner Fleishhacker, Mr. Levy indicated that current data was not available to use for comparison purposes. Mr. Levy agreed with Mr. Jacobs that time was of essence, noting that probably no staff had enough people to collect all the data, but indicated that he was not comfortable with the existing data.

Responding to Mr. Levy's desire that there be base line data, Mr. Jacobs indicated that he felt that that would not be too difficult to test.

Commissioner Fleishhacker expressed the view that data was necessary to show people who are against the project. He felt both positive and negative data was needed to indicate what the results of the proposals were in terms of alleviating conflicts. Commissioner Fleishhacker indicated again that he felt "before" measurements were necessary before the proposal was implemented, because it is impossible to take "before" measurements after a proposal is implemented.

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OCTOBER 25, 1973

President Newman, a self-acclaimed fan of the Muni, wondered if the report was concentrating on the physical situation of the Muni rather than the management situation. In response to that observation, Mr. Cauthen indicated that a dynamic period in Muni management was occurring; a city-wide study was looking at express and limited bus routes, driver attitudes, and other issues regarding the Municipal Railway operation. Mr. Cauthen further pointed out that the irregularity of Muni bus schedules was due somewhat to unforeseen obstacles and occurrences which cannot be predicted.

Commissioner Rueda asked whether lines #1, #2, and #3 were to be routed across Market Street just to avoid turning left on Kearny. Mr. Cauthen responded that busses have a very difficult time turning right off Kearny at Bush and that there was a tangle of busses on Bush Street since so many bus lines use that street. The resultant effect would save every bus 3 to 4 minutes. Mr. Cauthen indicated that this was the third largest corridor in the city in terms of transit ridership and therefore, implementation of this proposal would have a very great impact. In response to the specific question, however, Mr. Cauthen responded that the crossing on Market Street would be done with synchronized street lights. In response to a question of Commissioner Rueda, Mr. Cauthen responded there would be a diversion of traffic on Mission eastbound at 11th, 5th and 2nd Streets and that there would be passenger islands in the street rather than at the curb at these intersections.

Commissioner Rueda noted that some consideration might be given to having fewer stops rather than the situation on Mission Street where the bus stops every block. Mr. Cauthen noted that some people wanted stops every block; some people do not care whether they walk a little further. He further indicated that the Municipal Railway would be pleased if the busses would only need to stop every two blocks. Commissioner Rueda observed that having busses stop every two blocks would have the effect of speeding those busses up. Mr. Cauthen agreed and pointed out that the city-wide study would look at that issue.

Regarding the Sutter Street proposal, Commissioner Fleishhacker wondered how the people would get onto the bus if the bus did not stop in the curb lane. Ms. Staten responded that the cars in the right hand lane must turn right in that area and also the bus would pull in to a curbside bus stop on that street. Commissioner Fleishhacker wondered what the bus would do on Sutter westbound at Kearny. Ms. Staten responded that the bus would stop on the far side of Kearny, and the cars in the curbside lane would be required to turn right. Ms. Staten further pointed out that where a left-turn situation existed, busses could stop at the rear side of the intersection and any cars parked at the right hand curb would have to pull across the bus lane to get to the through traffic lane. This would result, stated Ms. Staten, in a semi-exclusive bus lane.

Regarding the Polk Street configuration that would also occur on Mission Street, President Newman asked whether the whole lane of traffic would stop when the bus stops in the right lane. Ms. Staten said that was happening now anyway. An additional problem, added Ms. Staten, was that there are invariably cars parked in the bus stop. Vehicles using those streets at the present time have to weave around the busses when they stop out in the street. President Newman commented that, theoretically, that would slow up all traffic. Ms. Staten pointed out again that this proposal would be attempted at first on a trial basis. President Newman expressed some doubt as to whether this particular proposal would work.

Commissioner Fleishhacker expressed concern about the #30 Express bus running straight out Kearny to Broadway. He felt that the area was one of the most congested in San Francisco, and that the advantage of going through the Broadway tunnel would be lost with this plan. Ms. Staten responded that the advantage of this plan was in taking the #30 Express off of Stockton, thereby reducing the conflict on that street. Commissioner Fleishhacker hypothesized that if a bus were to go up Kearny, across Columbus, which is congested, make a left turn on Broadway and cross Broadway at Columbus again, a problem would result. Commissioner Fleishhacker expressed some relief to know that this proposal was not approved in its specifics.

Commissioner Rueda felt that the idea of making it difficult for people with cars to negotiate the downtown traffic was admirable.

President Newman summarized the discussion by noting that two opinions had been expressed:

1. That implementation of the proposals should proceed only after certain parameters had been set and certain measurement lines drawn;
2. That the proposals should be implemented immediately.

To the second view, Mr. Levy said that he did not really feel that there was any difference in the two points of view expressed by President Newman, but he did feel that certain testing should be done before any form of implementation be done. He certainly did not want to hold up the project.

Commissioner Ritchie asked whether a requirement for data collection prior to implementation would be part of the motion to accept the program. To this point, the Director indicated that the staff had prepared a resolution, which he distributed amongst the Commissioners.

President Newman felt that it might be appropriate to add the clause, "urging its early implementation." Commissioner Ritchie wondered about adding a recommendation calling for testing. The Director responded that this suggestion was accommodated within language of the resolution. Mr. Levy felt

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that the testing could be worked out. He added that Ms. Staten had brought out the differences between the departments, but the Commission would be accepting the report including the differences without attempting to judge them. Commissioner Ritchie felt that the testing should be mentioned. Commissioner Porter felt that the City Planning Commission should not stress the differences between the departments to the Board of Supervisors when it passes the report along to them.

Commissioner Ritchie moved adoption of the resolution with the additional language "and urged its early implementation". Commissioner Porter seconded the motion. President Newman then called for discussion.

Commissioner Fleishhacker expressed his concern about rerouting the #30 Express bus.

Commissioner Rueda felt that he had several reservations but that he felt that he would leave the solutions of the problems up to the experts. When the question was called, the Commission voted unanimously to approve Resolution No. 7093 accepting the Transit Preferential Streets Program and directing the Director of Planning to forward it to the Board of Supervisors for their information and action, and urging its early implementation.

Mr. Jacobs added that one of the most important parts of the report, which both Municipal Railway and the Department of Public Works were in agreement with, was the enforcement of existing traffic regulations.

Commissioner Fleishhacker asked if all three departments were in agreement with rerouting the Stockton bus. Mr. Cauthen responded that a left turn could be worked out at Columbus. He added that perhaps that plan should be dropped if a left turn could not be worked out.

President Newman commented that he felt one of the key methods to speed up traffic was signal synchronization. He wondered if the City Planning Department worked with the Police in that regard. Mr. Levy responded that the Department of Public Works was responsible for that and that the department uses the Department of Electricity as its maintenance arm. Mr. Levy added that he agreed with the report that an additional person was needed in the Department of Electricity to help correct signals and that about ten percent of the signals were out of phase at the time of the study.

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker and unanimously carried to express to Charna Staten a vote of thanks for the excellent job she had done preparing the Transit Preferential Streets Program.

President Newman adjourned the meeting at 3:37 p.m.

Respectfully submitted,

Marie Zeller
Acting Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 1, 1973.

The City Planning Commission met pursuant to notice on Thursday, November 1, 1973, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George A. Williams, Assistant Director - Plans and Programs; Peter Svirsky, Planner V-Zoning; Robert Passmore, Planner V-Zoning; Daniel Sullivan, Planner III; DeWayne Guyer, Planner II; Carl Nes, Planner II; Glenda Skiffer, Planner II; Russell Watson, Planner II; and Marie Zeller, Acting Secretary.

Larry Liebert represented the San Francisco Chronicle; and Carol Kroot represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the minutes of the meeting of October 11, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported on a request for Discretionary Review of Building Permit Application No. 422337 proposing a nine-unit dwelling at 795 Buena Vista West, as follows:

"The Commission has received a letter from Richard Felciano of 1326 Masonic Avenue, including a petition signed by owners of 41 of the 54 lots in the block bounded by Buena Vista West, Masonic, Waller and Frederick Streets, requesting the Commission to exercise its discretionary powers over a nine-unit dwelling proposed for 795 Buena Vista West.

"The application was erroneously approved by the City, but the permit has been rescinded; thus it may be reviewed by the Commission. The proposed three-floor over parking building would be 171'-10" long on a 251 foot long lot. This length building would intrude into the central open space of the block a significant amount and might result in a detrimental effect on adjacent properties.

"Before causing the applicant to make changes to the presently submitted plans so as to meeting technical planning code require-

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ments, or alternately have the applicant file for a variance from the code requirements not presently met by the plans, I would recommend that the Commission hold a discretionary hearing on this matter. Such a hearing could be scheduled for next Thursday, November 8."

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and unanimously carried to take the matter under discretionary review at the next regular meeting, November 8, 1973.

The Director advised the Commission that the special meeting to review the Capital Improvements Program had been changed from November 9 to November 16, 1973, at 9:00 a.m., at 100 Larkin Street.

PRESENTATION OF DEPARTMENT WORK PROGRAM AND BUDGET FOR FISCAL YEAR 1974-75.

Allan B. Jacobs, Director of Planning, pointed out that consideration of the budget was two months earlier this year in order to give the Mayor and the Board of Supervisors a greater period of time to consider the budget. He pointed out that in the public hearing on October 1973, the public had articulated its interest in concentrating on the following areas of planning:

1. Neighborhood planning;
2. Housing Programs and their effectuation;
3. Code enforcement; and
4. Comprehensive planning.

The Director summarized the Department's Work Program and Budget, calling special attention to the projects which had been added to the Work Program. He pointed out that the Department would be requesting the following new staff positions:

1. A Planner V for Comprehensive Planning;
2. A Planner III for a Special Rehabilitation Program of Victorian Structures;
3. A Planner II for the Landmarks Preservation Advisory Board;
4. A Planner I for the Landmarks Preservation Advisory Board;
5. Two Planner I's for Code Enforcement activities; and
6. A Draftsman.

Mr. Jacobs observed that the Budget and Work Program was extremely circumspect this year.

1911 January

Page 1

Letter to Mr. J. H. ...

I have the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

I am, Sir, very respectfully,
Your obedient servant,
J. H. ...

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During the presentation, Commissioner Ritchie arrived in the Commission Room and assumed his seat at the Commission table.

Commissioner Porter pointed out that she was concerned about the dearth of secretaries, and wondered if the Commission ought to increase those positions, since it was requesting an increase in higher level positions. Mr. Jacobs felt that her point was well taken, and said that he would consider revising that request.

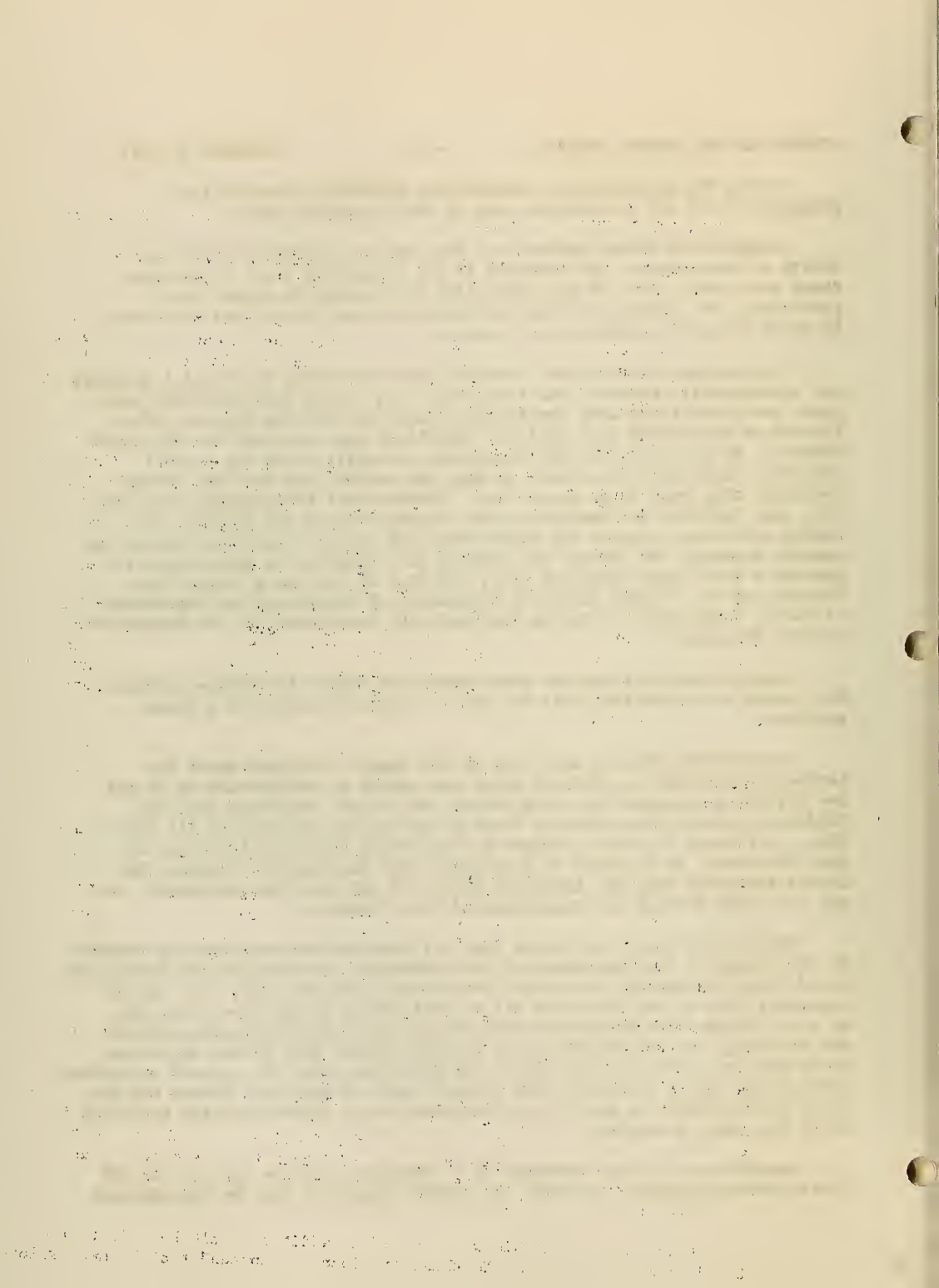
Commissioner Fleishhacker observed that the amount for Special Services was substantially reduced from last year. Mr. Jacobs responded that last year, two consultants were specifically requested for the Seismic Safety Element of the Master Plan, and one consultant was requested for the Noise Element. He observed that the Department generally asked for a small amount of money for consultants as they are needed, and that the amount requested this year is to cover that. Commissioner Fleishhacker felt that this must indicate the Department was contemplating a new element. Mr. Jacobs said that he hoped the State would not pass a requirement asking for another element. Mr. Jacobs did observe that there was a requirement to provide a Solid Waste Disposal Plan, but that it was not a Master Plan Element per se. In any case, the Department of Health and the Department of Public Works would be taking the lead with involvement by the Department of City Planning.

Commissioner Fleishhacker asked about the figure for office machines. Mr. Jacobs explained that this was due to a program geared to a lease purchase.

Commissioner Ritchie said that he was always concerned about the Landmarks Preservation Advisory Board and wanted an explanation as to the new positions requested for that board. Mr. Jacobs responded that the Landmarks Preservation Advisory Board presently has one Planner III full-time. A Planner II, and a Planner I, were being requested to assist in that function. In response to a question from Commissioner Ritchie, Mr. Jacobs indicated that the Landmarks Board did not have its own budget, and got its money through the Department of City Planning.

Commissioner Rueda, allowing that his question was not directly related to the budget of the Department of City Planning, wondered how the Commission could assist in putting the entire Department under one roof. Mr. Jacobs responded that he had asked for all of 1212 Market Street five years ago. He also informed the Commission that he had been approached concerning the AAA Building, and determined, along with the staff, that it was an inhuman space and the staff would be better off suffering under the current situation. Commissioner Rueda indicated that he would talk to President Newman and the other Commissioners to see if the Commission could assist in doing something about the space situation.

Commissioner Ritchie wondered if an addition could be made to the 100 Larkin Street building. To this, Mr. Jacobs responded that he had explored



getting temporary buildings such as are used for temporary classrooms; but there were problems with the Department of Building Inspection.

President Newman requested that the staff provide a report on the space situation and formulate some recommendations for the Commission.

In response to a question from President Newman, Mr. Jacobs indicated that he would provide information on fees from Environmental Impact Reports at the next meeting. President Newman felt that that might be a justification for increasing fees.

Commissioner Farrell noted that the budget for official advertising and printing had been cut, and wondered what this would do to the operation of the Department. Mr. Jacobs responded that the staff would have to operate frugally.

PRESENTATION OF PROPOSED AMENDMENTS TO TEXT OF CITY PLANNING CODE TO PROVIDE INTERIM CONTROLS IN RESIDENTIAL DISTRICTS.

Allan B. Jacobs, Director of Planning, introduced the staff presentation as follows:

"This presentation is being made today in response to the request of the Commission on September 6 that the Department staff develop, in as short a time as possible, its recommendations as to the form and desirability of interim residential zoning standards that might be put into effect pending completion of a longer-term comprehensive study.

"We have concluded that interim controls are desirable, and that they ought to be recommended to you in the form of an ordinance that would be effective for three years, or for a shorter period if permanent standards can be developed and adopted in less than three years.

"The ordinance text and descriptive report are available today, and they will be given to the people here and mailed to others who have expressed interest. The Commission's hearing on this matter has been scheduled for the evening of November 19.

"In the past two months the staff has conducted a brief but intensive study. It has consulted both with neighborhood organizations and with representatives of the building interests. Many thoughtful points were raised in those meetings, covering a broad range of matters that might be addressed by zoning. I am sure the points that are not affected by these interim controls will be considered in the longer study and spelled out more in future meetings.

"What we are seeking to answer now are the most significant concerns that have given rise to the Commission's request of September 6. The intent is to offer controls that are few in number and uncomplicated, but with a strong effect in a wide range of neighborhoods. We by no means want to try to anticipate the detail or all the approaches of the longer-term study.

The first of these was the discovery of gold in California in 1848. This discovery led to a great influx of people to California, and the state became a free state in 1850. The second was the discovery of gold in Nevada in 1859. This discovery led to a great influx of people to Nevada, and the state became a free state in 1864. The third was the discovery of gold in Colorado in 1859. This discovery led to a great influx of people to Colorado, and the state became a free state in 1876.

The fourth was the discovery of gold in Idaho in 1860. This discovery led to a great influx of people to Idaho, and the state became a free state in 1890. The fifth was the discovery of gold in Montana in 1862. This discovery led to a great influx of people to Montana, and the state became a free state in 1889.

The sixth was the discovery of gold in Wyoming in 1869. This discovery led to a great influx of people to Wyoming, and the state became a free state in 1890. The seventh was the discovery of gold in Utah in 1871. This discovery led to a great influx of people to Utah, and the state became a free state in 1896.

The eighth was the discovery of gold in Arizona in 1876. This discovery led to a great influx of people to Arizona, and the state became a free state in 1909. The ninth was the discovery of gold in New Mexico in 1879. This discovery led to a great influx of people to New Mexico, and the state became a free state in 1906.

The tenth was the discovery of gold in Texas in 1884. This discovery led to a great influx of people to Texas, and the state became a free state in 1845. The eleventh was the discovery of gold in Louisiana in 1884. This discovery led to a great influx of people to Louisiana, and the state became a free state in 1804.

The twelfth was the discovery of gold in Mississippi in 1884. This discovery led to a great influx of people to Mississippi, and the state became a free state in 1817. The thirteenth was the discovery of gold in Alabama in 1884. This discovery led to a great influx of people to Alabama, and the state became a free state in 1801.

The fourteenth was the discovery of gold in Georgia in 1884. This discovery led to a great influx of people to Georgia, and the state became a free state in 1788. The fifteenth was the discovery of gold in South Carolina in 1884. This discovery led to a great influx of people to South Carolina, and the state became a free state in 1776.

The sixteenth was the discovery of gold in North Carolina in 1884. This discovery led to a great influx of people to North Carolina, and the state became a free state in 1776. The seventeenth was the discovery of gold in Virginia in 1884. This discovery led to a great influx of people to Virginia, and the state became a free state in 1776.

"The proposals today do not amount to a rezoning or a building freeze. I want to emphasize, too, that these interim controls would not commit the Commission and the staff one way or the other with respect to any later proposals for permanent districts and standards. That is, the inclusion of anything in the interim controls is not a commitment to continuing the same control later on, and omission of anything now by no means prevents it from being considered and added in the later study."

Mr. Jacobs then called upon Peter Svirsky, Planner V-Zoning, who presented and summarized the staff report entitled "Presentation of Recommended Interim Residential Zoning Controls," and the proposed ordinance, with the use of photographic slides.

At the conclusion of the presentation, Commissioner Porter expressed a concern with respect to the situation where one building is set-back and one building comes up to the curb. She felt that the existing set-back line should be honored.

Mr. Jacobs announced to the Commission that there would be a public hearing on this matter at 7:30 p.m. on November 19, 1973 in Room 282, City Hall. He indicated that the staff had asked for the Board of Supervisors' Chambers, but had been refused.

President Newman asked Mr. Svirsky if he had an indication of what the interim controls would do to the housing stock - would there be more housing or less. Mr. Svirsky responded that the tendency would be to encourage retention of existing housing and its renovation. He felt this would reinforce a trend which could be seen all over the city. The retention would be due to a number of things, including the cost of new housing. He indicated that new construction would still be feasible, but more care would be required in site selection and other considerations. Mr. Svirsky added that the interim controls would give the department a chance to see what the effects of the standards would be on new construction. Mr. Svirsky pointed out, however, that these interim controls were not intended to be the final product, but are reasonable and in keeping with the views and concerns of the neighborhoods. President Newman said that he expected these controls could have a favorable influence on the number of dwelling units. Mr. Svirsky agreed with that statement.

Returning to the issue of set-backs, Commissioner Porter asked whether only 7½, 10, 12, and 15-foot set-backs were under consideration since 25-foot set-backs were very rare. Mr. Svirsky responded that there are occasions where greater set-backs occur, but that 15 feet should be the norm. Mr. Svirsky gave an example in which one adjacent building has a 30-foot set-back, and the house on the other side of the lot is set-back 15 feet; then the required set-back would only be 15 feet.

President Newman encouraged all interested people to come to the public hearing on November 19, 1973.

Although this was not a public hearing, Franklin Lyons, a member of the Codes Committee of the Chamber of Commerce, referring to a letter which was sent to the Department by Mr. William McCormick, pointed out that there were some groups interested in this matter which had not been notified of the meetings. He wondered if a meeting could be arranged with the staff. At the request of President Newman, Mr. Jacobs indicated that such a meeting would be set up.

At this point in the proceedings, Commissioner Mellon arrived in the Commission room and assumed his seat at the Commission table.

President Newman called for a five-minute recess after which the Commission began the Zoning Hearing with the 2:30 calendar.

ZONING HEARING: 2:30 P.M.

R73.39 - TWIN PEAKS RESERVOIR.

REQUEST FOR LEASE FOR MICRO-WAVE TELEVISION RECEIVING TOWER.

Robert Passmore, Planner V-Zoning, reported on the matter as follows:

"Television Signal Corporation (Cablevision leases a small concrete building on the northwesterly corner of the Fire Department's reservoir site atop Twin Peaks, adjoining Palo Alto Avenue. There is an existing tower 35 feet high on which are situated numerous antennae which receive the signals of local TV stations for relay via cable to their customers.

"Transmission at the nearby Sutro Tower has increased local signals to such a degree as to 'wipe out' reception of signals being relayed from Sacramento stations. In order to regain the reception of the Sacramento signals Television Signal Corporation wishes to install a second, shorter tower (20 feet high) which will support an 8-foot dish antenna facing east.

"The Plan for Recreation and Open Space policy for Supporting Facilities in open space under the jurisdiction of agencies other than the Recreation and Park Department appears to most nearly apply to this case although Television Signal Corporation is a utility rather than a public agency. Approval of such facilities requires (a) demonstration that the facility is necessary to the agency holding the site (b) proof that alternate sites have been studied and that the facility can be located only on the proposed site and (c) assessment of the effects of the facility on the site and surrounding neighborhood.

"The applicant's statement in the Conditional Use Case Report describes their need to have this additional facility on their site and that they considered Sutro Tower as a potential alternate but were turned down."

Noting that this case and the next conditional use case were related to the same project, Mr. Passmore pointed out that a utility installation of this nature can be located in a P District only as a Conditional Use.

President Newman asked if the applicant were present and wished to add anything. The applicant responded that Mr. Passmore had done a very good job in presenting the case.

President Newman then asked if anybody in the audience wished to speak for or against the project. No one wished to speak. President Newman announced that he had received a letter from Susan Smith, who pointed out that this installation would be a violation of the contour of the hill. Ms. Smith felt that if the installation could not be installed on another tower, the authorization should be denied.

Mr. Passmore stated that the Director recommended that the proposed installation was in conformity with the Master Plan, but that there be landscaping of the site, and improvement of the existing appearance of the site, as a condition of finding it in conformity with the Master Plan. He continued by saying that the Director recommended approval of the Conditional Use Permit also because this application proposed a use which would be of benefit to the people.

Mr. Passmore summarized the conditions that were contained in the draft resolution which had been prepared for consideration by the Commission. President Newman asked if the conditions which had been suggested by Mr. Passmore would be acceptable to the applicant. The applicant replied in the affirmative.

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker and carried unanimously that modification of the lease of the Television Signal Corporation site to permit installation of a 20-foot tower with a 8-foot micro-wave receiving dish as shown on the plans submitted is in conformity with the Master Plan providing that screen landscaping be installed and maintained between the reservoir and the facility.

CU73.55 - TWIN PEAKS RESERVOIR, SOUTH SIDE OF PALO ALTO AVENUE, TWO-HUNDRED AND SEVENTY-FIVE FEET EAST OF MARVIEW WAY.
REQUEST FOR AUTHORIZATION FOR A UTILITY INSTALLATION TO ERECT A TWENTY-FOOT MICRO-WAVE TELEVISION RECEIVING TOWER WITH AN EIGHT-FOOT DIAMETER DISH; IN A P "PUBLIC USE" DISTRICT.

The presentation for the Conditional Use authorization had essentially been covered by Mr. Passmore during the presentation of the above referral.

Noting that the Director had recommended the approval of the Conditional Use, President Newman called for the action of the Commission. It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker and unanimously carried that the draft resolution be adopted as City Planning Commission

Resolution No. 7094 and that the application be approved subject to the conditions which had been recommended by the Director.

CU73.54 - 1527 SUTTER STREET, SOUTH SIDE, SEVENTY-FIVE FEET EAST OF OCTAVIA STREET.
REQUEST FOR AUTHORIZATION FOR ELEEMOSYNARY INSTITUTION
PROVIDING TUTORIAL EDUCATIONAL SERVICES; IN AN R-5 DISTRICT.

Robert Passmore, Planner V-Zoning, referred to land use and zoning maps to describe the property at 1527 Sutter Street, presently used as a single family residence. The proposal was to use the subject property for the Harrison Out-of-School Program, an eleemosynary institution, providing tutorial educational services, serving not more than 14 persons at any one time. The applicants were Dorothy J. Harrison and Fletcher L. Harrison, owners, who would use the subject property as their place of residence also. Mr. Passmore pointed out that the subject property was located in the Western Addition Redevelopment Area-2, and at the southern edge of an R-5 district, with R-4 extending southward from its rear property line. He pointed out that land use in the vicinity of the subject property was a mixture of institutional, commercial and medium-high density apartments. Mr. Passmore pointed out that eleemosynary uses are allowed in an R-2 and less restricted districts as Conditional Uses. He noted that the Redevelopment Agency's land use plan for this area calls for a mixture of institutional and high-density residential development. He pointed out that under existing R-5 standards, which allow one dwelling unit for every 125 square feet, the subject property could be developed with 27 dwelling units.

President Newman asked if the applicant were present and wished to make a statement with respect to the Conditional Use. Mrs. Harrison, the applicant, responded that she was pleased with the presentation of the staff of the Department of City Planning.

President Newman asked whether there was anyone in the audience who wished to speak in favor of, or in opposition to, the subject application. No one in the audience responded.

Mr. Passmore stated that the Director recommended that the application be approved subject to four specific conditions which were contained in the draft resolution which had been prepared for consideration by the Commission.

President Newman asked if the recommended conditions were acceptable to the applicant. Mrs. Harrison responded in the affirmative.

It was moved by Commissioner Ritchie, seconded by Commissioner Porter and unanimously carried that the City Planning Resolution No. 7095 be adopted and that the application be approved subject to the conditions which were contained in the draft resolution.

CU73.50 - 1096 SOUTH VAN NESS, NORTHWEST CORNER AT 22ND STREET.
REQUEST FOR AUTHORIZATION TO CHANGE THE NON-CONFORMING
USE STATUS OF AN EXISTING MORTUARY TO A CONDITIONAL USE
HAVING NO EXPIRATION DATE; IN AN R-4 DISTRICT.

Robert Passmore, Planner V-Zoning, referred to land use and zoning maps to describe the subject property at 1096 South Van Ness Avenue, northwest corner of 22nd Street. The applicants, Michael J. and Regina E. Driscoll, owners, were seeking to change the Non-Conforming Use designation of the existing mortuary (Driscoll Mortuary Chapel) to a Conditional Use having no termination date. He noted that the subject property was in an R-4 district, and was currently used as a mortuary chapel, and has been in existence for some time. Mr. Passmore pointed out that the surrounding land use in the area is predominantly multiple-family dwellings with some interspersed non-conforming commercial uses. The other three corners of 22nd Street and South Van Ness Avenue are occupied by non-conforming commercial uses: a bar, a gasoline service station, and offices. He noted that the Mission Street commercial strip, including properties fronting on 22nd Street to the west side of Capp Street, was within a C-2 District. The vicinity east of South Van Ness was predominantly an R-3 district. Mr. Passmore noted that, as an alternative, the density provisions of the R-4 Districts would permit a maximum of 23 dwelling units on the subject property. Mr. Passmore stated that a mortuary is first permitted as a principal use in a C-M district and as a Conditional Use in a C-2 district; however, the subject non-conforming mortuary qualified for consideration by the Commission as a Conditional Use to remove the non-conforming status of the use and the termination date under Section 154(e)5 of the Planning Code. Mr. Passmore stated that there were five mortuaries in residential districts in the city, three of which had been approved by the Commission as conditional uses.

President Newman asked whether the applicant would like to make a statement. Mr. Driscoll responded that he felt the staff had done a good job in presenting his case.

President Newman asked if there was anyone in the audience who wish to speak on the matter. No one responded.

Mr. Passmore stated that the Director recommended that the application be approved subject to three specific conditions which were contained in the draft resolution which had been prepared for consideration by the Commission. He summarized the proposed conditions, one of which specified that nine street trees be installed.

President Newman asked if the conditions which had been recommended by Mr. Passmore would be acceptable to the applicant. Mr. Driscoll replied that they all were, with the possible exception of the third condition requiring nine street trees. He said that if he needed to do that, he would be most happy to do it. But, he pointed out that about eight years ago, when he renovated the mortuary on his South Van Ness frontage, which was 50 feet, there were two telephone poles and fire hydrant. He said that he had a landscape artist consider that frontage. They determined that parking cars and

limousines caused a hindrance. Mr. Driscoll added that he had no objections to trees on the 22nd Street frontage. Mr. Passmore pointed out to the Commission that there had been a requirement for street trees in the last three cases where the Commission had authorized removal of a termination date for a mortuary. He added that the staff had gone out to the property and taken measurements which indicated that nine street trees could be put in. He also pointed out that street trees would have to be approved by the Department of Public Works, and felt that they would not approve trees placed inappropriately.

Commissioner Ritchie wondered whether the Commission could reduce the number of trees from nine to six.

President Newman felt that the language of the condition was confusing, and wondered whether the nine street trees could be on the two frontages-- South Van Ness and 22nd Street. He asked Mr. Driscoll how many trees he could put on 22nd Street. Mr. Driscoll responded that he had no objections putting trees on 22nd Street, where the frontage was approximately 100 feet. Commissioner Fleishhacker suggested that Mr. Driscoll could put two street trees on South Van Ness and seven on 22nd Street. Mr. Driscoll said that he would have no objections if he could put all nine on 22nd Street.

Mr. Passmore suggested removing the number "nine", but leaving the requirement for street trees in the resolution. President Newman felt that was a good suggestion, and indicated to Mr. Driscoll that he would want to show the staff of the Department of City Planning his plans for street trees when he had them drawn.

Commissioner Fleishhacker suggested one additional condition, which he had noticed was in the statement by the applicant; that courtesy off-street parking be provided. He felt that to include that as a condition would insure that the courtesy off-street parking would continue. To this point, Mr. Driscoll observed that his livelihood was dependent on providing parking. He also observed that at the present time he was providing more than sufficient parking. Commissioner Mellon pointed out that if Mr. Driscoll did not provide parking, he would be out of business.

It was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried six to one that Resolution No. 7096 be adopted and that the application be approved subject to the conditions which were contained in the draft resolution with the third condition amended to delete the number of street trees required. Commissioners Farrell, Mellon, Newman, Porter, Ritchie, and Rueda voted "Aye;" Commissioner Fleishhacker voted "No."

3:00 P.M.

CU73.48 - SHRINERS' HOSPITAL PROPERTY ON 19th AVENUE.
REQUEST FOR AUTHORIZATION TO MODIFY CONDITIONS OF CITY
PLANNING COMMISSION RESOLUTION NO. 5958, TO PERMIT A
LARGER SIGN; IN AN R-3 DISTRICT.

Robert Passmore, Planner V-Zoning, indicated that the proposal by Ad Art Signs Inc., authorized agents for the Shriners' Hospital, was to modify conditions of City Planning Commission Resolution No. 5958 to permit a larger sign. Mr. Passmore pointed out that in an R-3 District, one identifying sign is permitted for each street frontage of a lot, not exceeding a height of 12 feet, nor having more than 18 square feet if non-illuminated or indirectly illuminated, or 4 square feet if directly illuminated. Mr. Passmore pointed out that the applicant wished to install an "identification display" on the lawn area for the existing Shriners' Hospital for Crippled Children. The main panel of the display would be 4 feet by 12 feet and would have an overall height of 6 feet. This would involve a square area of 48 square feet. Mr. Passmore pointed out that the existing resolution permits the largest possible sign in an R-3 District, and that the City Planning Commission really could not approve this Conditional Use application because of these reasons.

Mr. Passmore indicated that, although the subject property was within an R-3 strip extending along both sides of 19th Avenue, the area is developed with one-and two-family residences, with the exception of the Shriners' Hospital and a 27-unit apartment building on the northwest corner of 19th Avenue and Lawton Street. Directly across 20th Avenue from the subject property, extending north from Moraga was an R-2 district developed predominately with single family residences, with two-family residences dispersed throughout. He noted that the surrounding area is an R-1 district developed with single-family homes. Mr. Passmore also indicated that a C-2 shopping strip extends west from the 19th Avenue along Noriega Street.

President Newman wondered how the Commission could hear the matter if, in fact, it could not approve it. Mr. Passmore responded that the applicant had applied for the permit, and therefore, it was before them.

Commissioner Fleishhacker asked the applicant why he wanted the sign. The applicant, Mr. McClure, responded that it was a matter of pride for the people who had donated money to the Shriners' Hospital. He felt that people who come to San Francisco from all over the United States wanted to know where their money had gone. He indicated that no advertising was involved.

Commissioner Fleishhacker wondered whether the building was now identified. Mr. McClure responded that the effectiveness of the sign could be illustrated by the fact that he had lived in San Francisco for 17 years and did not know where the Shriners' Hospital was until 9 months ago.

Commissioner Ritchie asked how much frontage there was. Mr. McClure responded that there were two blocks of frontage; Mr. Passmore supplied the information that there was 980 feet of frontage. Commissioner Fleishhacker wondered whether the sign would be set-back, with almost 1000 feet of frontage.

Commissioner Porter recalled the time that the street was closed for the construction of the Shriners' Hospital. She wondered if the Shriners' had agreed to all of the conditions at that time. Mr. Passmore replied in the affirmative.

President Newman called on Elvin Stendell of the Board of Governors of the Shriners' Hospital, who indicated that there was now a new board, and consequently, a different feeling of what is going on. He pointed out that one-third of this proposed sign was a representation of a crippled child. He noted that there were other signs in the surrounding area which were much larger, and that patients had a hard time finding the hospital because the present sign was too small. He pointed out that it was a policy of the Board of Governors to identify these hospitals more clearly. He added that some identification should be given to those buildings.

Commissioner Mellon recalled that he, along with Mrs. Porter, had supported the hospital all the way on street vacation. In fact, he himself had gone out to the Sunset to talk with groups who were in opposition to the hospital. He pointed out that it was an unusual circumstance to be in position of not having power to act; in fact, if the Commission were to act, it could be illegal. He felt there would be a good deal of criticism from the groups who opposed the hospital in the first place. He expressed some incredulity at the statement that there had been people who were not able to find the hospital. To this Mr. Stendell responded that the case was as he had represented it. Mr. Stendell pointed out that there was no number on the sign, and that people run around trying to find the hospital. Commissioner Mellon indicated that he did not see any objection to putting a number on the sign, but he could not understand how anyone could not find the hospital.

President Newman asked whether sign could be redesigned to be in conformity with the City Planning Code Regulations. Mr. Stendell responded that the logo was 4 feet by 4 feet alone, and that aesthetics should be involved; lettering alone would not fill this bill. He said there would be indirect lighting on the sign. Mr. Passmore noted that the original application contained no reference to electrical connections. Mr. Passmore indicated that the Department of City Planning would be happy to work with the applicant to redesign a sign within the limitations. President Newman indicated that he felt the applicant was putting the Commission in a very awkward position.

Wade McClure, of Ad Art Signs Inc., traced a short history of his correspondence with Mr. Steele of the Department of City Planning, indicating that on July 30, 1973, he had written requesting the details of the procedure to allow a larger sign. He stated that he received an answer from Spencer Steele dated August 5, 1973, which indicated that in order to modify any part of the City Planning Commission resolution, it would be necessary to apply for a new Conditional Use application. He indicated that he had only found out the previous day that this was not the correct procedure, that both a variance application and a Conditional Use application were required.

Commissioner Porter indicated that she was deeply disturbed by this situation. She recalled that the Commission had made every effort to cooperate with the Shriners' Hospital when the issue of closing the street

came before them. She felt that the Commission did the unforgivable sin in planning of closing a street. She said it seemed to her that it was the responsibility of the hospital now to cooperate with the Commission. She felt that if such a sign was objectionable or out of character, the Shriners, in view of the cooperation of the Commission, should withdraw their request.

Commissioner Fleishhacker said that he felt there were two different versions of the reason a sign was necessary for the Shriners' Hospital: the first was to give the contributors evidence of where their money was being spent; and the second was to provide identification of the hospital for patients. Commissioner Fleishhacker felt that this was one of the largest hospitals in San Francisco. He suggested that possibly a legal sign could be designed with the address on it, and after it had been up for one year and the Shriners could demonstrate to the Commission that people still lost their way, they could come back and the matter could be reconsidered.

Mr. Stendell asked what objections the Commission had to the sign. President Newman, speaking for himself, said he felt the sign was too large and that it violated the law.

Commissioner Rueda, speaking for himself, indicated that he felt a sign would commercialize a beloved institution. For that reason alone, he indicated that he would not vote for the sign.

Commissioner Ritchie, indicating that he did not agree with the other views expressed, said that, with a 1000 feet of street frontage, that sign would not amount too much anyway. He felt that right now the Shriners really had no identity.

George Thomas, Secretary of the Board of Governors, indicated that the discussion had gotten somewhat far afield. He felt that the Shriners wanted identification; they are interested in a national advertising program. He said that though it was surprising, the Shriners are looking for patients. He felt that many people did not know what the hospital was and what it did. He pointed out that there were 60 beds available for any child up to the age of 15, at no cost, and that this fact should be known.

It was moved by Commissioner Fleishhacker, and seconded by Commissioner Porter, to reject the application for a Conditional Use to permit a larger sign.

Commissioner Mellon, with reference to Mrs. Porter's suggestion, asked the representatives of the hospital to consider withdrawing their application. He said he made this request because of the support the Commission had given to the hospital and he did not like to see the Commission have to be put into a position of having to disapprove for the first time a request of the Shriners. President Newman indicated that he felt the Shriners had put the Commission in a very untenable position.

The first of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will result in the elimination of many of the dangerous and deleterious products which have been in the market for many years.

The second of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will result in the elimination of many of the dangerous and deleterious products which have been in the market for many years.

The third of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will result in the elimination of many of the dangerous and deleterious products which have been in the market for many years.

The fourth of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will result in the elimination of many of the dangerous and deleterious products which have been in the market for many years.

The fifth of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will result in the elimination of many of the dangerous and deleterious products which have been in the market for many years.

The sixth of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will result in the elimination of many of the dangerous and deleterious products which have been in the market for many years.

The seventh of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will result in the elimination of many of the dangerous and deleterious products which have been in the market for many years.

Mr. Thomas indicated that Ad Art thought that they could provide a new sign, and that the Shriners were interested in having one, but he agreed with Mr. Mellon and indicated that he was sure that his board would withdraw the pending application and reapply for another one or solve the problem in some other fashion. Indicating that he was certain that his board would go along with his actions, Mr. Thomas withdrew the application.

Accordingly, Commissioner Porter withdrew her second, and Commissioner Fleishhacker withdrew his motion. President Newman announced that the matter would be considered withdrawn.

ZM73.31 - 202, 204-208, 214, 218, 222, 226, 230, 234, 236-238, 240, 244 ROOSEVELT WAY, WEST SIDE.
REQUEST FOR CHANGE OF THE USE (ZONING) CLASSIFICATION FROM
AN R-4 (HIGH DENSITY MULTIPLE RESIDENTIAL) DISTRICT TO AN
R-2 (TWO-FAMILY RESIDENTIAL) DISTRICT.

Robert Passmore, Planner V-Zoning, indicated that a letter had been received from the Buena Vista Neighborhood Association requesting postponement of the hearing in order that discussion could take place with opponents and neighborhood groups. The letter requested postponement until February 1974. Mr. Passmore indicated that they had also received a request from St. Joseph's Hospital requesting a delay on the hearing, but giving no specific date.

President Newman asked if anyone was in the audience who wished to speak. Leonard B. Burger, Attorney with Molinari, Casalnuovo and Burger representing Mr. and Mrs. Frances Gilardi, owners of lots 23 to 26, indicated that he was in opposition to the proposed rezoning. He felt that if there were a continuance for three months, the likelihood of his clients' property coming under the new proposed interim controls, would possibly result, and put his client in the untenable position of not being able to construct a building for three years.

Commissioner Fleishhacker, in an attempt to clarify Mr. Burger's logic, asked whether Mr. Burger would be satisfied if the Commission acted on the reclassification that day, and re-zoned the area from R-4 to R-2. Mr. Burger responded that he would like the Commission to act on it, but not if they approved it. He further indicated that it was his understanding that new zoning regulations which were being considered by the Commission would have an effect on his clients' property.

Mr. Passmore pointed out that, with an application pending for a rezoning from R-4 to R-2, an application cannot be permitted to allow a greater density than the R-2. He also pointed out that the interim controls would be in effect sometime in the future, at the earliest, in January, after approval by the Board of Supervisors.

Commissioner Porter, pointing out that the Commission never denied a first request for postponement, believed that the three month period was too

long, and suggested the alternative of a one-month postponement. Accordingly, Mrs. Porter moved, and Commissioner Mellon seconded that this matter be postponed to the regular meeting of December 6, 1973. When the question was called, it was unanimously carried.

CU73.52 - 1771 WALLER STREET, SOUTH SIDE, 106.25 FEET EAST OF STANYAN STREET.

REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR 15 MENTALLY AND PHYSICALLY DISABLED PERSONS; IN AN R-3 DISTRICT.

Robert Passmore, Planner V-Zoning, referred to land use and zoning maps to describe the subject property on 1771 Waller Street. The owner Vinna Oedekoven proposed to legalize the existing use of the Board and Care Home for 15 persons. Mr. Passmore pointed out that the building was presently being used as a resident care home under the title "Park Vista Guest House." The Home had been operating for ten years, providing room, board, and care for both physically and mentally disturbed persons who are unable to work. Mr. Passmore pointed out that the subject property was at the western edge of an R-3 District developed in the immediate vicinity with a mixture of two 8-unit apartment buildings and a number of non-conforming uses with 1980 termination dates. Mr. Passmore pointed out that the Planning Code provides for rest homes and board and care homes for more than 6 patients as Conditional Uses in R-2 and less restrictive districts, when they are deemed necessary as desirable and compatible with the neighborhood or community. Mr. Passmore indicated that this particular facility had been in existence for 9 years, but was coming before the Commission as a conditional use due to state licensing requirements. He pointed out that the licensing procedure could not proceed without the Commission acting on it for Conditional Use.

President Newman asked if the applicant were present in the audience. Carl Willrader, representing Mrs. Oedekoven, indicated that the use had been in existence for 9 years, that it had recently been inspected by the Fire Department and the Board of Health, and code requirements had been met.

President Newman asked if anyone was present in the audience who wished to speak in favor of or in opposition to the subject application. No one was present to do this.

Mr. Passmore stated that the Director of Planning recommended that the application be approved subject to five specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions recommended by the Director would be acceptable to the applicant. Mr. Willrader replied in the affirmative.

It was moved by Commissioner Porter, seconded by Commissioner Rueda and unanimously carried that the draft resolution be adopted as City Planning Commission Resolution No. 7097 and that the application be approved subject to the conditions which had been recommended.

The first part of the paper is devoted to a discussion of the problem. It is shown that the problem is a special case of a more general one. The general case is considered in the next part of the paper.

In the second part of the paper, the general case is considered. It is shown that the problem can be solved by using the method of characteristics. The method of characteristics is a powerful tool for solving problems of this type.

The third part of the paper is devoted to a discussion of the results. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

In the fourth part of the paper, the results are discussed in more detail. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

The fifth part of the paper is devoted to a discussion of the results. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

In the sixth part of the paper, the results are discussed in more detail. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

The seventh part of the paper is devoted to a discussion of the results. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

In the eighth part of the paper, the results are discussed in more detail. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

The ninth part of the paper is devoted to a discussion of the results. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

In the tenth part of the paper, the results are discussed in more detail. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

The final part of the paper is devoted to a discussion of the results. It is shown that the results are in good agreement with the experimental data. The results are also compared with the results of other authors.

Since the time was 3:40 p.m., and the next item was calendared for 4:00, President Newman called for a 20 minute recess. Commissioner Ritchie absented himself from the Commission room for the remainder of the meeting.

4:00 P.M.

CU73.41 - 1799 NEWCOMB AVENUE, AT THE SOUTHERN CORNER OF NEWCOMB AVENUE AND PHELPS STREET.
REQUEST FOR AUTHORIZATION TO OPERATE A BOARD AND CARE HOME FOR 12 MENTALLY RETARDED PERSONS; IN AN R-2 DISTRICT.
(POSTPONED FROM MEETING OF OCTOBER 4, 1973)

Robert Passmore, Planner V-Zoning, referred to land use and zoning maps to describe the subject property which is on 1799 Newcomb Avenue. He explained that was to legalize the existing use as a board and care home for 12 mentally retarded persons. He said the home had been in business for 4 years, but required licensing now. Mr. Passmore noted that the area was in an R-2 district east of Phelps Street developed predominantly with single-family dwellings. Along Oakdale Avenue one block to the south was a C-2 district, developed mainly with single-family dwellings, which connected with the Third Street commercial strip two blocks to the east, also in a C-2 district and developed with neighborhood commercial uses in small stores and shops. West of Phelps Street was a M-1 district developed with manufacturing uses including an auto wrecking yard north of Newcomb Avenue, the Southeast Sewage Treatment Plant and single-family residences on the south side of Newcomb Avenue. Mr. Passmore pointed out that the Planning Code provisions provide for rest homes and board and care homes for more than six patients as conditional uses in R-2 and less restrictive districts.

President Newman asked whether the applicant was in the audience. No one responded.

Mr. Passmore stated that the Director of Planning recommended that the application be approved subject to conditions which were contained in the draft resolution which had been prepared for consideration by the Commission.

Commissioner Mellon asked whether all the persons were children. Mr. Passmore responded that they could be children or they could be adults, but that they had a child's mental age.

It was moved by Commissioner Porter, seconded by Commissioner Mellon, and unanimously carried that the draft resolution be adopted as City Planning Commission Resolution No. 7098 and that the application be approved subject to the conditions which had been recommended.

CU73.47 - 27 DEMONTFORT AVENUE, SOUTH SIDE OF DEMONTFORT AVENUE, 100 FEET WEST OF MIRAMAR AVENUE
REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR 10 AMBULATORY PERSONS; IN AN R-2 DISTRICT.
(POSTPONED FROM THE MEETING OF OCTOBER 4, 1973)

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Robert Passmore, Planner V-Zoning, referred to land use and zoning maps to describe the property owned by Hyacinth and Herman Carey. He noted that the present use was a board and care facility for ten ambulatory persons and had been in operation under Veterans Administration guidelines for three years. Mr. Passmore pointed out that the subject property is in a R-2 district developed predominantly with one family dwellings which lie between the Ocean Avenue commercial C-2 zoned strip developed with neighborhood service-oriented commercial uses and an R-3 district on both frontages of Holloway Avenue.

President Newman asked if the applicants were present and had a statement to make. The applicants were represented by Charles Turner who indicated that the facility was a very good one, it had been screened by the Veterans Administration, and it did have a license.

No one else was present in the audience to speak in favor of or in opposition to the subject application.

Mr. Passmore stated that the Director of Planning recommended that the application be approved subject to specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission.

President Newman asked if the conditions which had been stated by Mr. Passmore would be acceptable to the applicant. Mrs. Carey, the applicant, replied in the affirmative.

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and unanimously carried that the draft resolution be adopted as City Planning Commission Resolution No. 7099 and that the application be approved subject to the conditions which had been recommended.

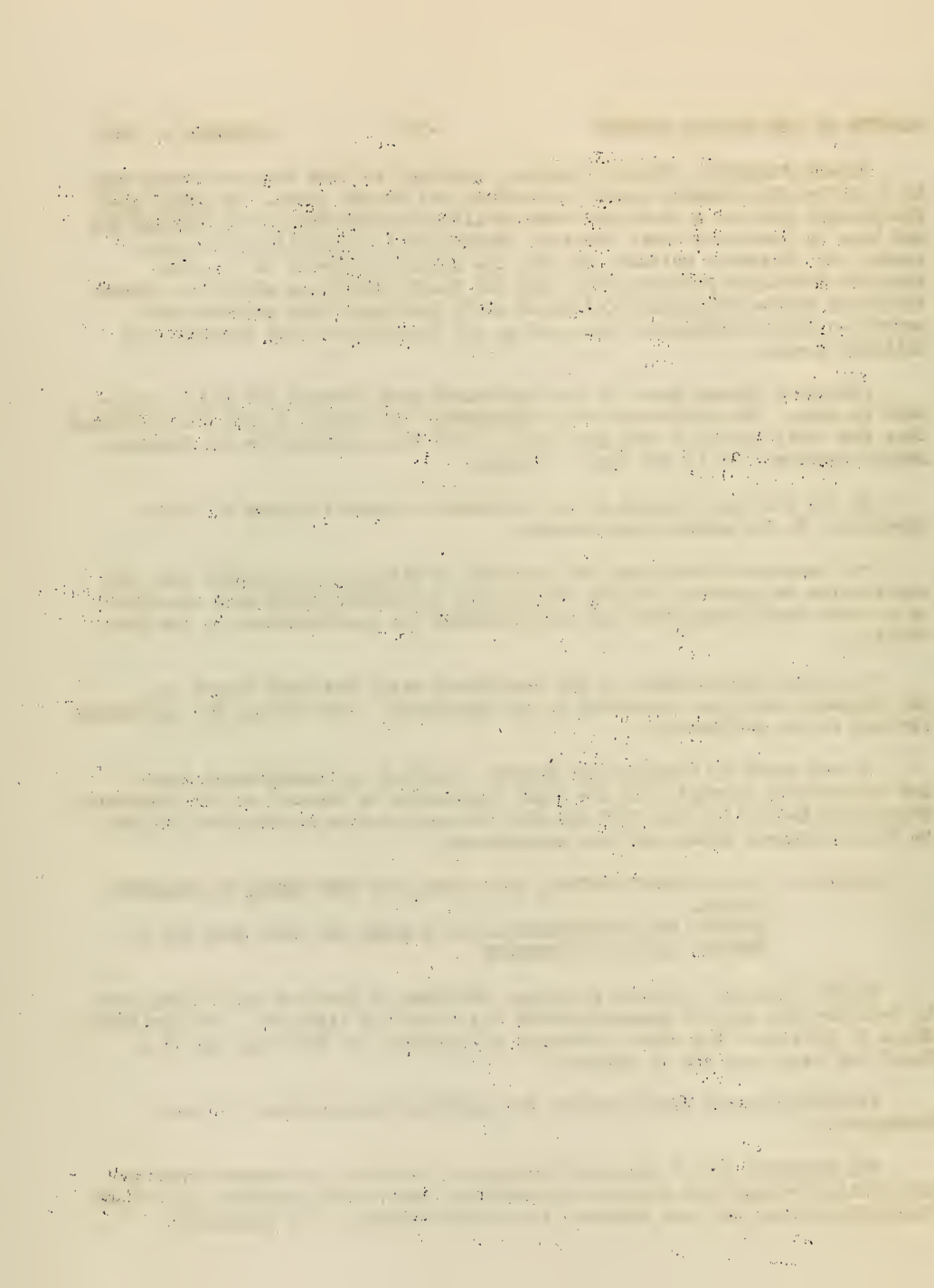
CU73.51 - 1150 PLYMOUTH AVENUE, EAST SIDE, 325 FEET NORTH OF HOLLOWAY AVENUE.

REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR 10 PERSONS IN AN R-2 DISTRICT

Robert Passmore, Planner V-Zoning, referred to land use and zoning maps to describe the subject property which was in an R-2 district. The applicant, James T. Williams, the owner, proposed to legalize the existing use as a board and care home for 10 persons.

President Newman asked whether the applicant was present. No one responded.

Mr. Passmore stated that the Director of Planning recommended that the application be approved subject to conditions which were contained in a draft resolution which had been prepared for consideration by the Commission.



Commissioner Fleishhacker moved, Commissioner Porter seconded, and it was unanimously carried that the draft resolution be adopted as City Planning Commission Resolution No. 7100 and that the application be approved subject to the conditions which had been recommended.

CU73.53 - 2 AND 8 HOLLOWAY, NORTHWEST CORNER AT HAROLD AVENUE.
REQUEST FOR AUTHORIZATION FOR A BOARD AND CARE HOME FOR 10
AMBULATORY PERSONS; IN AN R-3 DISTRICT.

Robert Passmore, Planner V-Zoning, referred to land use and zoning maps to describe the subject property owned by Antonina Birch, who wished to legalize the existing use as a board and care home for 10 ambulatory persons. Mr. Passmore pointed out that the facility was in an R-3 district.

President Newman asked if the applicant was in the audience and wished to make a statement. The applicant was represented by Charles Turner, who indicated that the facility had been in operation for two years, it was run by all women, and there had been no problems.

President Newman asked if there was anyone in the audience who wished to speak in opposition to or in favor of the subject application. No one responded.

Mr. Passmore stated that the Director of Planning recommended that the application be approved subject to conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. President Newman asked if the conditions which had been described by Mr. Passmore would be acceptable to the applicant. Ms. Birch replied in the affirmative.

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and unanimously carried that the draft resolution be adopted as City Planning Commission Resolution No. 7101, and that the application be approved subject to the conditions which had been recommended.

President Newman adjourned the meeting at 4:05 P.M.

Respectfully submitted,

Marie Zeller
Acting Secretary

The first of the year was a very dry one, and the crops were much affected. The weather was very hot, and the crops were much affected. The weather was very hot, and the crops were much affected.

The second of the year was a very wet one, and the crops were much affected. The weather was very cold, and the crops were much affected. The weather was very cold, and the crops were much affected.

The third of the year was a very dry one, and the crops were much affected. The weather was very hot, and the crops were much affected. The weather was very hot, and the crops were much affected.

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The seventh of the year was a very dry one, and the crops were much affected. The weather was very hot, and the crops were much affected. The weather was very hot, and the crops were much affected.

The eighth of the year was a very wet one, and the crops were much affected. The weather was very cold, and the crops were much affected. The weather was very cold, and the crops were much affected.

The ninth of the year was a very dry one, and the crops were much affected. The weather was very hot, and the crops were much affected. The weather was very hot, and the crops were much affected.

The tenth of the year was a very wet one, and the crops were much affected. The weather was very cold, and the crops were much affected. The weather was very cold, and the crops were much affected.

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 8, 1973.

The City Planning Commission met pursuant to notice on Thursday, November 8, 1973, at 1:30 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, Thomas G. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Edward Murphy, Assistant Director - Operations; Richard Gamble, Planner IV; Ron Jonash, City Planning Coordinator; Katherine Benziger, Planner II; Paul Rosetter, Planner II; Nat Taylor, Planner II; Linda Ferbert, Planner I; Marcy Lifton, Planner I; and Marie Zeller, Acting Secretary.

Drew McKillips represented the San Francisco Chronicle; Joel Tlumak represented the San Francisco Examiner; and Carol Kroot represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and unanimously carried that the minutes of the meeting of October 4, 1973, be approved as submitted.

President Newman called for a five minute recess in order that Commissioners Porter and Ritchie, who were on a field trip, could join the Commission.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported to the Commission that a resolution of the Board of Supervisors, adopted on October 15, 1973, and approved by the Mayor on October 19, 1973, established a Board of Supervisors Committee for Transit Improvement. He indicated that the membership of this committee included two members appointed by the Public Utilities Commission, one member appointed by the City Planning Commission (either the Director of Planning or a Commissioner), and one member appointed by the Chief Administrative Officer. Mr. Jacobs indicated that, unless a member of the Commission wished to serve on this committee, he, as the Director of Planning, would be willing to be the appointed member.

President Newman asked if there were any objections to the Director serving as a member of this committee. Hearing none, Commissioner Mellon moved and Commissioner Porter seconded that the Director be the representative.

Commissioner Farrell indicated that the Public Utilities Commission had appointed Commissioner Joe Byrne as its representative, and Jack Woods would represent the Municipal Railway.

When the question was called, the Commission voted unanimously to appoint the Director as the representative.

Commissioner Porter felt that if there were to be only one representative to the committee, that person should be the Director, however, since a Public Utilities Commissioner was on the committee, perhaps it would be proper to have a Planning Commissioner also.

President Newman asked who selected the Citizen Advisory Group. Mr. Jacobs responded that the Board of Supervisors would select the citizens. Mr. Jacobs offered to indicate to the Board of Supervisors in passing the recommendation on, that one of the Commissioners would be interested in serving on the Citizens Advisory Committee.

Commissioner Mellon wondered if there were any requirements on the Chief Administrative Officer's recommendation for committee representation. Mr. Jacobs responded that the Chief Administrative Officer would have to choose either the Director of the Department of Public Works or the Chief City Engineer.

The Director then reported on fees collected from Environmental Evaluations, Environmental Impact Reports, and Appeals as follows:

Total EE's	143 @	\$ 50.00 each	=	\$7,150.00
Total EIR's	11 @	150.00 each	=	1,650.00
Total Appeals	4 @	25.00 each	=	<u>100.00</u>
TOTAL				\$8,900.00

Mr. Jacobs indicated that the totals represented fees collected from April 13, 1973, the beginning date for filing Environmental Evaluations, to October 31, 1973. In response to a question from Commissioner Mellon, Mr. Jacobs indicated that the fees were low in comparison to the departmental cost. Mr. Jacobs suggested that any change in the cost of the fees should go before the Board of Supervisors at the same time proposed changes in the ordinance were considered.

The Director distributed copies of the State Law concerning conflict of interest and financial disclosures by public officials, indicating that he understood the law would be in effect January 1, 1974. He pointed out that the law has certain prohibitions against kinds of conflicts that it describes, and also requires the filing of a statement in April of each year

by each official as to his or her finances. He further indicated that planning commissioners and planning officers are specifically mentioned as being covered by the requirements. He believed that the Commissioners would want to read this statute very carefully. He indicated that there were provisions for the writing of guidelines by the Secretary of State and local Boards of Supervisors, and that the County Supervisors Association and League of Cities were working on guidelines as well. He indicated that the staff of the Department would advise the Commission as more information becomes available.

Commissioner Fleishhacker asked whether the law would become effective in January, as stated, or in April when the financial statement must be filed. President Newman requested that that concern be checked out. Commissioner Fleishhacker felt that requiring Commissioners to file a statement stating the assets over \$1,000 and sources of income may be in violation of some provisions of the Constitution.

The Director, indicating that there was some concern expressed by the Commission with regard to the Community College Building, reported on the negotiations regarding the color. He said that on October 19, 1973, the Department had sent a letter to the Art Commission expressing its concerns. On October 20, a staff member had attended a meeting with the architect and the Redevelopment Agency and reviewed changes in the design. On October 31, the Redevelopment Agency sent a letter to the Department approving changes. The Director indicated that he had reviewed the model and felt it was satisfactory; accordingly, he sent a letter to the Art Commission expressing this view.

Commissioner Porter indicated that she had reported to the Art Commission that the City Planning Commission did not like the dark color originally planned for the building.

The Director informed the Commission that five interested property owners and residents had filed an application to re-classify all or portions of 37 blocks in the Inner-Sunset area generally bounded by Lincoln Way, 11th Avenue, Arguello Blvd., and Lawton Street; and that no hearing date has been set for this application.

The Director advised the Commission that the staff would be meeting November 9, 1973, with the Codes Committee of the Chamber of Commerce regarding the proposed Interim Controls in residential districts.

The Director reminded the Commission of the meeting to review the Capital Improvements Program on November 16, 1973, at 9:00 a.m. at 100 Larkin Street.

Acting on the recommendation of the Director, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and unanimously carried to cancel the regular meeting of the Commission on November 22, 1973, which would fall on Thanksgiving Day.

The Director advised the Commission of a letter which had arrived regarding the Crocker Bank at West Portal, and indicated that this letter would be given to the Commission at a point in time closer to the hearing, which had been set for November 29, 1973.

The Director reminded the Commission that he would be in Germany from November 26, 1973, to December 14, 1973.

The Director, pointing out that the Commission had received a memo on Board and Care Homes with recommendations for local guidelines, indicated that the guidelines were an attempt to prevent further neighborhood impactation by high concentrations of these homes, a situation which could have detrimental effects on both the patients and the neighborhood. He recommended the adoption of the guidelines, and distributed a draft resolution to that effect. Additionally, the Director indicated that since many of the Board and Care Homes in the City have six or fewer patients, Commission action alone was not sufficient. Accordingly, the Director further recommended that the Department forward to the State Department of Health information about the guidelines which had been developed and offer to assist them in their current project to formulate a new set of standards for licensing. He indicated that he hoped the new standards would include a set of locational guidelines similar to those developed by the staff. He distributed a draft resolution to that effect also.

Commissioner Rueda was concerned that the restrictions did not go far enough, pointing out, that if one board and care home can be located on one street frontage, there would be the possibility that four board and care homes could be located on one square block. To this, Mr. Jacobs responded that the street frontage was where the impact would be felt.

Commissioner Fleishhacker pointed out there could be four homes in a very small area, if each one were on a corner of an intersection. Mr. Jacobs pointed out that these board and care homes would still come before the Commission for review.

Commissioner Rueda wondered if a clause could be added to indicate that proximity to establish board and care homes would be undesirable. To this, Mr. Jacobs responded that the Resolution included the statement, "exceptions to these guidelines maybe made if proven acceptable by an evaluation of environmental conditions including topography, sizes and visibility of other board and care homes as well as assessment of social factors, and the tenure of the facility."

Responding to a concern of President Newman, regarding the point "that until a set of guidelines has been established, no new facilities be authorized," Mr. Jacobs pointed out that what had been coming before the Commission had generally been existing facilities. Commissioner Mellon, in order to clarify the meaning of this statement, felt that the word "State" should be inserted before the word guidelines.

Commissioner Fleishhacker pointed out that Board and Care Homes would come before the Commission as conditional uses in any event.

It was moved by Commissioner Porter, seconded by Commissioner Rueda and unanimously carried that the locational guidelines, to be considered by the Commission in addition to the requirements of Section 303 of the City Planning Code, for conditional use authorization for Board and Care Homes with more than six patients be adopted as City Planning Commission Resolution No. 7102, with inclusion of the word "State" before the word "guidelines" in the following recommendation: "that until a set of State guidelines has been established no new facilities be authorized."

It was then moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and unanimously carried that the Director of Planning forward a copy of the Commission guidelines for Board and Care Homes to the Director of the State Department of Health for their consideration in the compilation of the new standards, as City Planning Commission Resolution No. 7103.

At the request of President Newman, it was determined to delay the final matter of the Director's Report, a presentation of the Interim Report on Housing Programs and Strategy, until the conclusion of the 2:30 p.m. Calendar.

HEARING ON APPLICATION FOR CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE IN THE JACKSON SQUARE HISTORIC DISTRICT AT 112 COLUMBUS AVENUE, NORTHEAST CORNER OF JACKSON STREET.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on the matter as follows:

"The application includes removal of a store in the hotel at 112 Columbus Avenue in order to provide an entry-way to the parking lot at the rear. Lot now has only one lane, less than 10 feet wide, which must serve as both entry and exit to the parking area.

"The application was reviewed by the Landmarks Preservation Advisory Board on September 19, 1973, and that board recommended approval for the work proposed and shown on the plan with two exceptions:

1. It would prefer to see the building remain and be converted to other uses, such as restaurants or shops.
2. No authorization for any signs for the parking facilities; these would be subject to further review.

"The garage structure proposed for demolition is rated as potentially compatible in the Jackson Square report. While the Landmarks Board would prefer to see this structure remain and be converted to other uses, such conversion would be in conflict

with provisions of the City Planning Code. Specifically, the property is in Washington-Broadway Special Use District and in this district all properties over 20,000 square feet, as this is, must provide parking in accordance with code regulations. The hotel use requires 15 spaces: There is also about 6,000 square feet of various commercial uses which would also require parking. The requirement for both must be maintained. Most of this parking is now located in the garage structure and cannot be eliminated. But even if it could be and the garage were then converted to another use, the new use in itself would have its own parking requirement which could not be met on the remaining portion of the site."

Mr. Steele pointed out that an Environmental Evaluation had not been done on the subject property, and recommended that the Commission hear the matter, but take the matter under advisement until an Environmental Evaluation can be done.

President Newman asked if the applicant were in the audience. Robert F. Domerque, the applicant, indicated that he had been on the site since 1916, and that the garage building was a hazard and very unsafe. He indicated that he would like to tear it down, but he felt other uses as suggested by Mr. Steele were impractical. Mr. Domerque presented the following letter signed by 14 landowners and tenants of the Jackson Square Historical District to the Commission:

"We, the following undersigned, who are landowners or tenants of the Jackson Square Historical District, support Robert F. Domerque in his efforts to beautify, make more convenient and make more efficient his parking facility, which does not detract from the emerging beauty of the district which we are proud of, located at 112 Columbus Avenue, San Francisco.

"We furthermore feel that his effort to remove the old parking structure is good because it is:

- 1) not safe to park under
- 2) causes unnecessary jogging of my car
- 3) that for some of us who have views higher than street level, the roof of this dilapidated building is very unsightly.

"We recommend that the plans that Mr. Domerque has had prepared by his architect and engineer, be approved by this Commission."

Commissioner Porter asked whether it was mandatory that an Environmental Impact Report be made on a single building. Mr. Steele responded that an Environmental Evaluation must be done on any building in an historical district. Mr. Jacobs pointed out that an Environmental Evaluation was necessary, and that this would not probably take a great deal of time. Commissioner

Porter felt that a proposal resulting in open space would be an environmental plus.

Commissioner Ritchie indicated he had gone down to see the building and felt there was no reason why it should not be torn down since it looked like an old barn. Commissioner Ritchie was concerned about the Landmarks Board not authorizing a sign, and wanted the record to show that he felt the owner should be able to have a sign in order to run his business. Mr. Steele pointed out that the Landmarks Board had not authorized a sign.

President Newman asked if there were anyone in the audience who wanted to make a statement for the demolition. Mr. Domerque wanted to add that the parking lot was one of the few in San Francisco which could not be seen by the public in that it was buried in the back of other buildings.

President Newman asked whether there was anyone in the audience who was in opposition to the project. No one responded.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and unanimously carried to close the public hearing and take the matter under advisement until an Environmental Evaluation could be done.

Commissioner Porter requested that in the future the Environmental Evaluation be done by the time a matter comes before the Commission in order to save the time of the Commission.

R73.9 - VACATION OF JAMESTOWN AND LeCONTE AVENUES AT THE COUNTY LINE.

Allan B. Jacobs, Director of Planning, introduced Richard Gamble, Planner IV, who reported on the matter as follows:

"Jamestown and LeConte Avenues are in the South Bayshore area and run southeasterly from the vicinity of Third Street to the San Mateo County line, interrupted by Bay View Hill and Candlestick Park. The segments where vacation is requested are the easterly most partial blocks of these streets, where one owner owns all the adjoining parcels except for the southwest side of LeConte which is City-owned. The owner's petition states 'Your favorable action . . . would allow me to develop my improved (sic) property in a manner which should only enhance the surrounding area both aesthetically and in real value.'

"The South Bayshore Plan established the concept of the shoreline park, which, due to Assemblyman Willie Brown's efforts and Governor Reagan's assent, will be developed as part of the State Park system. The subject street areas and surrounding parcels are within the park's boundaries, and comprise a sizable portion of the peninsula extending easterly along the County line.

"Vacation of these street areas would work against the realization of the park, because it would increase the amount of and the value of land the State must purchase. The City should (and may already be obligated to) follow the same procedure as is used on redevelopment projects; vacate the street after land acquisition is accomplished."

The Director recommended that he be authorized to report that the vacation of Jamestown Avenue southeasterly of Ship Street and LeConte Avenue southeasterly of Alvord Street was not in conformity with the Master Plan. The Director also pointed out that if the Commission agreed with his recommendation, the Department should suggest to the applicant that he withdraw his application since a \$150 fee would be required for an Environmental Impact Report.

President Newman asked whether the applicant was present in the audience. No one responded.

Commissioner Porter asked what the applicant wished to do. It was assumed that the applicant wanted to build.

President Newman asked whether there was anyone in the audience who wish to speak on the matter. No one responded.

Commissioner Porter moved, Commissioner Rueda seconded, and it was unanimously carried that the vacation of Jamestown Avenue and LeConte Avenue was not in conformity with the Master Plan.

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NUMBER 422337
PROPOSING A NINE-UNIT DWELLING AT 795 BUENA VISTA WEST.

Robert Passmore, Planner V - Zoning, reported on the matter as follows:

"Scheduled for review by the Commission under its discretionary powers is the building permit application of Patrick O'Connor proposing a nine-unit dwelling at 795 Buena Vista Avenue West. (Lot 55 in Assessor's Block 1256). This review has been requested in a letter dated October 17, 1973, from Richard Felciano resident owner of 1326 Masonic Avenue adjacent to the west of the subject property. Mr. Felciano's letter included a petition supporting his request signed by owners of 41 of the 54 lots in subject Assessor's Block 1256. The letter states 'We oppose this construction because of its excessive length and height, its destruction of the quiet fragile open space of the block's open interior (including the demolition of a substantial number of trees); because its unreasonable dimensions will deprive adjacent buildings of sunlight which is already at a minimum; because it will introduce the noise and fumes of automobiles into the restful quiet of our back yards; and because it is out of scale and out of character with the rest of the block and will do severe damage both to our properties and to the quality of living in the neighborhood.'"

"The subject irregular shaped lot has a width on Buena Vista Avenue West of approximately 25 feet for an average depth of 166 feet, at which point the lot widens to approximately 50 feet for an additional 78 feet of depth. The lot, which is the deepest lot in the block and resulted from the merger of portions of former rear yards of adjacent lots, has a total area of 8,088.4 square feet. The lot is currently occupied by an old one story single-family house set back from the street approximately 106 feet. Both the front and rear yard areas of the lot contain numerous shrubs and trees. The lot slopes down from the street.

"Under plans currently filed with the subject application the proposed dwelling would be three floors high over ground level parking, 177' - 10" long, and would contain nine two-bedroom dwelling units. The rear 63 feet of the lot would not be occupied by the proposed building, but all of this open space would be used as an open automobile parking area except for the last 25 feet. Four parking spaces would be provided under the building and six spaces would be provided to the rear of the dwelling. The building would be 39 feet high at the front, and approximately 51 feet high at the rear; the exposed parking area would be up to seven feet above adjacent yard areas. The proposed construction would result in the removal of all existing plant materials on the lot.

"The attached vicinity map indicates the zoning in the area. All of Assessor's Block 1526, including the subject lot is zoned R-3. Prior to 1972 this lot was zoned R-4, but was reclassified at that time as part of the Haight-Ashbury neighborhood reclassification. However with the exception of a 12-unit dwelling at 757 Buena Vista Avenue West, a 12-unit dwelling at 1235 Waller Street, and a 6-dwelling at 1275-1285 Waller Street all of the lots in Assessor's Block 1526 are occupied by low density dwellings, with the majority of these dwellings being one and two family in occupancy. With the exception of three larger dwellings described above, all of the lots in the block are characterized by buildings 50 to 75 feet long having large rear yards containing substantial landscaping. The entire block slopes quite steeply down to the north and west, and several lots adjacent to the subject lot have significant views across the rear of the subject lot.

"Under applicable density provisions the subject site could be developed with up to 10 dwelling units. The proposed dwelling covers 45% of the lot where a coverage of 65% would be permitted. The proposed rear 25 feet of the site, which would be landscaped, provides the code required rear yard and most of the required usable open space. The remainder of the required usable open space is provided on balconies at the front of the dwelling, and in a central court. However, three of the proposed dwelling units are in the center of the building, and under the current plans do not meet the requirements of Section 134.2 of the code for facing all dwelling units on an open area of at least 25 feet in least dimension for two floors of occupancy, and at least 30 feet for a third

floor of occupancy. Thus the current plans require modification to meet the minimum standards of the code. Such modifications might entail making the building longer and removing one of the proposed dwelling units.

"The fact that the current plans did not meet the above described Planning Code regulation was discovered only after issuance of the building permit, and an appeal of this issuance to the Board of Permit Appeals by Mr. Felciano. However, prior to commencement of construction, on October 10, 1973, at the request of this Department the Superintendent of the Bureau of Building Inspection suspended the building permit. Subsequent to this action Mr. Felciano withdrew his appeal to the Board of Permit Appeals, and instead requested discretionary review by the Planning Commission.

"On June 26, 1973, the proposed development was determined not to have a significant effect on the environment as defined by the California Environmental Quality Act, and a negative declaration was filed. No appeal of this declaration was filed.

"Under interim residential zoning controls presently being considered by the Planning Commission a rear yard of 117 feet would be required on the subject 244 foot long lot."

As customary for discretionary review Mr. Jacobs indicated that he would give the recommendation of the Department, and then views could be heard for and against the application. Accordingly, Mr. Jacobs reported on the matter as follows:

"The degree of intrusion into the subject block, in terms of building bulk, exposed automobile parking and removal of existing vegetation proposed under the current plans submitted with the subject application is inappropriate in this block of predominantly older, sound one and two family dwellings grouped around a heavily vegetated central open space. The proposed drawn out, lengthy building appears to be an extremely inefficient development of the site for nine dwelling units, with particularly harsh results on neighboring properties. For this reason the current plans should not be approved, and the plans should be modified so as to be consistent with the purposes of the City Planning Code, and such policies of the Comprehensive Plan as Neighborhood Environment Policy 15 of the Urban Design Element to protect the livability and character of residential properties from the intrusion of incompatible new buildings.

"These plans should be modified so as to shorten or lower the proposed building, to conceal all off-street parking, and to retain significant existing large plant materials in the rear approximately 80 feet of the lot. A building approximately 120 feet

long would be much more compatible with the surrounding dwellings. Of course, modifications to correct the conflict with existing minimum standards of the Planning Code would be required also.

"Your staff would be pleased to work with the applicant and his architect to accomplish plan modifications of this nature.

"If the applicant will not modify the plan it is recommended that the building permit application be disapproved."

President Newman asked if the applicant was present in the audience. William J. Murphy, an attorney, representing the applicant, explained that the applicant was not present because of the late notice.

President Newman asked whether Mr. Murphy would like to make a statement. Mr. Murphy indicated that he would like to tell a little of the history of the whole project, and where Mr. O'Connor, his client, stood on the issue. Mr. Murphy explained that Mr. O'Connor's permit had been issued, and he had planned to start construction on Monday. He was then notified on Friday that the matter had been appealed to the Board of Permit Appeals by Mr. Felciano. Mr. Murphy indicated that while this appeal was pending, Mr. Felciano sought the counsel of the Department of City Planning, where he discovered the Department of City Planning had erroneously approved the plans and forwarded them to the Building Department where a permit was issued. Mr. Murphy indicated that while he was preparing for a presentation in front of the Board of Permit Appeals, Mr. Felciano notified that board that he was withdrawing the appeal, since he had discovered that the permit had been erroneously issued. Mr. Murphy indicated that Mr. O'Connor's plans did comply with existing law and existing policy except for the 25-foot open space area in the central unit. Mr. Murphy said that he could only assume that it may have been assumed that the walkway from the front of the building to the rear of the building was a fire escape. Mr. Murphy continued by saying that in conversations with Mr. O'Connor's architect and with the departmental staff, he learned that compliance with the existing law could be accomplished by lengthening the building. Mr. Murphy allowed that the community reaction to the existing building was negative, and wondered what the reaction would be if the building were to be lengthened. Mr. Murphy pointed out that the word, "discretion," implied "sound discretion." He indicated that this was supported by City Attorney's opinion of 1954 concerning the discretionary review power. He indicated that it would probably be Mr. O'Connor's intention to modify the application to comply with existing law, which would mean lengthening the building, an act he felt would probably be rejected. Mr. Murphy pointed out that Mr. O'Connor had a substantial amount of money invested in this project and felt that just because 50 or 100 people were opposing it, the Commission did not have the right to do this to owner. Quoting from a City Attorney's letter, Mr. Murphy pointed out that the Commission should not use it's delegated power capriciously, arbitrarily, or without equality. He indicated that Mr. O'Connor would take the action being urged by the Department of City Planning as arbitrary and capricious

and not reasonable in this particular case. Mr. Murphy pointed out that Mr. O'Connor had relied upon the Department's recommendations, and that the rug had been pulled out from under him. He felt that to impose on Mr. O'Connor more than the requirements called for would be an unconstitutional exercise of the Commission's rights. Mr. Murphy again stated that Mr. O'Connor would change the plan, lengthening the building. Mr. Murphy pointed out that no one can build buildings on top of bushes, and felt that to turn down the project because the building would take away foliage was not appropriate. With regard to automobile fumes being introduced into the neighborhood, Mr. Murphy indicated that there were nine parking spaces in the building, and that people would drive in and turn their engines off. With respect to the vegetation in the rear yard, Mr. Murphy observed that there was a park across the street.

Commissioner Fleishhacker asked Mr. Murphy if he took the position that the Commission did not have the power of discretionary review. Mr. Murphy responded that the Commission could not make Mr. O'Connor do more than the law allows or more than the Commission has allowed in the past.

Commissioner Ritchie wondered why Mr. Murphy wanted to make the building longer, since it was rather long already. Mr. Murphy responded that it was not too long under existing law. Mr. Passmore pointed out that the extension of the building would be for an additional stairway for the three back units.

Commissioner Rueda felt that the crux of the situation was that the project had come before the Commission for discretionary review, and that the Commission would have to consider the neighborhood's objections when they vote on it. He suggested that it might be better to have the developer get together with the community in an attempt to find a common ground.

President Newman asked if anyone in the audience wished to speak in favor of the project. Mr. Murphy commented that the applicant had solicited no one to speak for the project since notice of the hearing had been received only yesterday. Mr. Passmore indicated that the Department had told Mr. Murphy the previous Thursday that there would be a hearing today, but did not indicate the precise time of the hearing.

President Newman announced that there were a number of letters in opposition to the project from the following people: George E. McGuire, 1364 Masonic Avenue; Robert E. Arnold, 1304 Masonic Avenue; Dorothy G. Siani, 759 Buena Vista West; Martin Kludjian, owner of 1275-85 Waller Street.

President Newman then asked if there were anyone in the audience who wish to speak on the issue.

Bernard Foston, resident and owner of 1330 Masonic, indicated that his property was directly behind the subject property. He indicated that the backyard area was another world away from the Muni world in the front of his home. He felt that the sunlight would be minimized and that the new proposal

would significantly destroy those things he enjoyed. He therefore stated that he was in opposition to the project.

Ed Wade, 783 Buena Vista West, indicating that his house was built around the turn of the century, furnished a photo which showed the position of the house with respect to the subject property. He indicated that his property was approximately 240 feet deep. Recently, a portion of land in the center of the block was surveyed and sold in such a way that approximately one-half of his property line abuts the proposed development. He indicated that he had bought the house in 1946 as a family dwelling, and subsequently had spent approximately \$25,000 to fix it up. He said that his back yard garden was enjoyed by all and did not agree with Mr. Murphy that greenery has no effect. For example, the large and notable palm tree which existed on the rear of the subject property, now would be in the area of the proposed parking lot. He had recently received a letter from his daughter who had enjoyed the palm tree as a child, and urged him to oppose the project. He indicated that he did oppose the project.

Commissioner Fleishhacker asked Mr. Wade what kind of building he would consider satisfactory on that site. Mr. Wade responded that he did not know but was confused, because at one time he had wanted to build a guest home in back of his property and was told that he could not do so. He noted that this was the same land on which the parking lot would be constructed.

Commissioner Ritchie wondered who sold the back lot. A member of the audience responded that it had been sold by the state. Commissioner Ritchie also wondered what would happen to the windows on the existing apartment at the front of the lot. A member of the audience responded that they would be wiped out, and this would affect about three or four apartments.

Mr. Wade continued by saying he opposed the project because it was too long, too wide, and covered the entire lot with concrete or building except for the rear 25 feet. He said that the property fronting on four streets would be affected by this development. Those streets were Buena Vista West, Waller, Masonic, and Fredrick. He felt that the neighbors would lose sunlight and privacy. His next door neighbor had recently bought property thinking that he would had a view; but this would not be the case if the proposed project were built. He indicated that he knew that the Commission had seen the property but would like to invite the Commission to go into the property so that they could know better what he was talking about.

Richard Felciano, resident owner of 1326 Masonic Avenue, adjacent to the west of the subject property, wanted to respond to some of Mr. Murphy's thoughts. He explained, with respect to the rescinding of the building permit, that Mr. O'Connor had gotten a lawyer, and he had gotten an architect. When his architect looked at the plans, he noted a violation of a code and brought this to the attention of the City Planning Department. Mr. Felciano further pointed out that his group was not 100 people, but 81% of the owners who lived on that block and own property there. He felt that it was clear from the maps

that the average depth of most buildings was 90 feet. He felt that because of the configuration and topography that the center of the block provided a continuation of Buena Vista Park. He felt that this fact alone mitigated the fact that he had to wait until mid-morning for the sun. He said that he already had to wait until 10:30 to 11:00 o'clock a.m. for the sun because of the one large building that had been permitted to be extended into the middle of the block. He felt that the existing intervening foliage provided a situation that was very pleasant and cut out view of neighboring houses. Mr. Felciano pointed out that his lot was 150 feet long. With a 90 foot building, the remainder of the lot had trees and was like a park. He indicated that most of the buildings in that block were 90 feet long. He felt that walking into the backyard area was like walking in the countryside, even though in San Francisco. Mr. Felciano pointed out that he worked at home in the back of his house, that the streets were already congested, and he did not feel it was appropriate to introduce cars into the back yard areas.

Commissioner Fleishhacker asked Mr. Felciano what he would consider appropriate for a building on the subject property. Mr. Felciano responded that he felt that a building no longer than 90 feet would be appropriate, since that was the average building length in the area. He indicated that he was speaking only for himself, and that his position was probably a conservative one. Commissioner Ritchie inquired as to the sale of the property. A tenant of 1322 Masonic, the lot behind the subject property, said that he learned from neighbors on Waller that there was an empty building on the subject lot. From where he lived, he could not see the building because of the foliage but he attempted to rent the empty building. It was then that he learned of plans for the new apartment. He tried to check out the title from City Hall but had difficulty doing this so he called Eric Stratmon, and learned of the subdivision of the back property. He understood that Mr. O'Connor had been in on the deal with the earlier owners. He then told the Felcianos who spread the word to the neighborhood.

Commissioner Ritchie asked Mr. Murphy how the lot came on the market. Mr. Murphy responded that he did not know.

Continuing, Mr. Wade indicated that the apartment and the lot had been owned by a man by the name of Ordell who had died approximately two years ago. Mr. Wade had seen "for sale" signs on the property from time to time, but said there was little information about the property. Commissioner Ritchie said that the neighborhood must have known that the property was for sale.

President Newman said that he sensed the audience reaction was against the project as proposed and requested a show of hands of those who were against the project. Approximately 50 to 60 people raised their hands.

Mr. Murphy pointed out that anyone could have bought the subject lot and wondered why they did not buy it if they liked the palm tree so much. He felt that there had been no bona-fide reason presented to deny his client's application other than the personal selfish reasons of the neighborhood.

President Newman called on the neighbor who had bought the adjacent property.

Eric Stratmon, owner of the property adjacent to the subject property, indicated that he had bought his building three months ago. Referring to Mr. Murphy's interpretation of the law and the policy of the City, he indicated an applicable policy was that buildings should not be built which are totally out of character with the neighborhood. He felt that the builder probably kept this project as quiet as possible. He said that he realized when he bought his apartment building that there would probably be a building constructed next to it. He felt that it would not be fair to be against a building. But as far as the proposed building, he felt it would put blinders on his rear and front views. He indicated that he had six units in his apartment house.

Commissioner Porter pointed out that there had never been any question of the right of the City Planning Commission to exercise discretionary review. She indicated to Mr. Murphy that if he was upset with the Commission decisions, he had recourse to other legal bodies. Commissioner Porter wondered if Mr. O'Connor would be willing to sit down with the staff and work with them on a new design for the building so as not to ruin the 35 to 40 other houses in the neighborhood. Mr. Murphy responded that his client was a very reasonable man, but he felt that just because 80 people were against the project did not mean that the Commission has to agree with them. Mr. O'Connor had obeyed the law, he pointed out, and if people were going to criticize, they should criticize the people who made the law.

Norman Hall, a registered architect residing on Masonic, stated that he was involved in award winning new construction and in restorations. He indicated that he lived immediately northwest of the subject property. He pointed out that his view to the east was directly on to the subject property. Mr. Hall wanted to make the point that the audience was not talking about splitting legal heirs; they were here because the proposed building was a huge monstrous ugly building. He pointed out that the people that lived in that neighborhood believed in the quality of life, and noted his personal example of investing all of his savings in a three flat Victorian, and restoring the building with joy because he believed in the quality of life.

President Newman then closed the public hearing and asked Mr. Murphy if his client was prepared to comply with the Director's recommendations that the plans be modified so as to shorten or lower the proposed building, to conceal all off street parking, to retain significant existing large plant materials in approximately 80 feet at the rear of the lot, and to provide modifications to correct the conflict with existing minimum standards of the planning code. Mr. Murphy responded that he did not know, but he felt that his client's response would be that he would want to lengthen the building. He felt that was only fair so that his client could get a return on his investment.

Commissioner Rueda asked what would happen if the additional section at the rear of the dwelling was taken off. The answer was that approximately three less units would possibly result.

Mr. Jacobs, recalling that in previous matters like this the Commission had suggested a period of time for the applicant to work with the staff of the Department, felt that would be a good idea in the subject case so that problems and concerns of the neighborhood could be dealt with, and then action taken. Mr. Murphy felt that was fair.

Accordingly, Commissioner Porter moved, Commissioner Mellon seconded it, and it was unanimously carried to take the matter under advisement until the regular meeting of December 13, 1973.

CURRENT MATTERS, continued.

President Newman then called on Ron Jonash, City Planning Coordinator, to present the interim report on the Housing Programs and Strategy.

Ron Jonash, City Planning Coordinator, recalled that in August the Department had reported to the Commission that there was a need to update the Housing Strategy Report which had been printed in conjunction with the Residence Element of the Master Plan. He indicated that the final report would be presented in mid-December but wanted to report to the Commission why the Department was doing the report; he also wanted to put the report in context with other reports, and wanted to inform the Commission of the basic thrust of the strategy.

Mr. Jonash indicated that the reasons that this report was being done were the following:

1. Some of the programs mentioned in the 1971 report had been implemented and other needs had arisen;
2. There had been considerable input from citizens and agencies; and
3. Major changes are being considered in Federal funding offered opportunities as well as problems.

Mr. Jonash indicated that two other reports were being done. The first was by the Fair Housing Planning Committee which was working to develop recommendations for fair housing. Mr. Jonash indicated that the Department may not be able completely to support that report. He also reported that the office of Community Development was writing a report on Housing and Community Development Strategy which was primarily geared to Federal programs and pending Federal legislation.

Mr. Jonash indicated that the basic thrust of the strategy report being prepared by the Planning Department would be a greater emphasis on rehabil-

itation and maintenance of existing housing stock and a continued encouragement of new housing on appropriate scale in designated areas. Mr. Jonash indicated that the report was based upon nine strategy elements:

1. Neighborhood conservation;
2. Rehabilitation of scattered sub-standard housing;
3. Scattered site new construction;
4. New residential communities;
5. Preservation and expansion of low-to-moderate income housing;
6. Displacement and relocation;
7. Conversion to condominium and cooperative ownership;
8. Architectural preservation; and
9. Improving neighborhood support services.

Mr. Jacobs pointed out that the vote on the Rehabilitation Assistance Program the preceding Tuesday indicated that the citizenry were supportive of maintaining existing neighborhoods, a policy which the Commission had endorsed. Mr. Fleishhacker pointed out that a recent newspaper editorial indicated it was glad the proposition had passed; their main concern had been that the program would be gladly administered. Commissioner Mellon added the editorial board of that paper may have had a different view if they had talk to more people.

Mr. Jacobs pointed out that Commissioner Fleishhacker was working with the Department on the Housing Strategy Report for presentation to the Planning Commission.

Mr. Jacobs pointed out that the report would be an update of the earlier report. Due to time constraints, it would be difficult to get a maximum amount of citizens' participation. He indicated that he may ask the Commission to approve the report in principle.

President Newman adjourned the meeting at 4:28 P.M.

Respectfully submitted,

Marie Zeller
Acting Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 15, 1973.

The City Planning Commission met pursuant to notice on Thursday, November 15, at 2:15 p.m., in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Peter Svirsky, Planner V - Zoning; Richard Gamble, Planner IV; and Marie Zeller, Acting Secretary.

The San Francisco Examiner was represented by Sam Boswell.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, announced that the staff had been reviewing the Environmental Protection Agency (EPA) Directives on parking and other requirements for the region. He indicated that he had had a meeting with Mr. Mellon and other City representatives to determine what the directives meant. He mentioned that one of the requirements involved the preparation of a parking plan by March 1, 1974, in which the Department would probably be involved. He pointed out that these directives could place a condition on the Commission's ability to approve parking facilities.

Commissioner Porter asked what the relationship of the EPA's directives would be with respect to the energy crisis, commenting that possibly some of the problems would be solved. Mr. Jacobs responded that the regulations may be modified as soon as the effect of rationing and other moves can be determined; but that EPA was primarily involved, at this point, with air pollution.

Commissioner Newman said that he had heard that a number of projects had been held up because of the indecision with respect to these guidelines. Mr. Jacobs responded that that might be the problem of individual developers, but the Department had been advised to go ahead with the present standards. He added that applications for developing would be contingent upon the regulations of the EPA.

Commissioner Rueda asked how these directives would effect the Yerba Buena Center Project. Commissioner Mellon said that he had asked this question to a representative of the EPA, who did not believe it applied, since the YBC project had started prior to the initiation of the EPA guidelines. He also pointed out, with respect to YBC, that the plans called for replacing 4,000 parking spaces with 2,000 spaces; and there would be no problem unless there were an increase. Therefore, there probably would be no effect on Yerba Buena Center.

The Director notified the Commission that he would be testifying on Tuesday, November 20, 1973, on the Priolo Bill which would establish a State Land Use Commission pursuant to pending Federal legislation. He indicated that the Department was concerned with local planning prerogatives and with what could potentially be an assault on long-range local planning.

The Director reminded the Commission of the special meeting to review the Capital Improvements Program on Friday, November 16, 1973, at 9:00 a.m. in the meeting room at 100 Larkin Street. He also reminded the Commission of the public hearing on interim controls on Monday, November 19, 1973, at 7:30 p.m. in Room 282, City Hall.

The Director then reported on the space situation as follows:

"As the Commission knows I have been concerned about the inadequate quarters of the Department of City Planning since the first day I was appointed Director of Planning.

"Aside from the space deficiency at 100 Larkin Street, the separation of the department into two buildings has always bothered me since we lose efficiency, ease of coordination, and fail to gain the positive morale spin-off that comes from people working together in the same building. Indeed, separation of the staff has always caused some morale problems. Also there is a certain loss of operational efficiency in a physically separated department particularly where the supervisor is separated from those he supervises.

"Since I believe the tenure of the Department of City Planning in Marshall Square is limited, at best, (both a Courts Building and a new Main Library building have been separately proposed for Marshall Square and we are occupying a temporary structure now 30 years old), I have a standing request with the Director of Property to find us approximately 16,000 square feet of office space in, or in the vicinity of, the Civic Center area.

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"To date, with the exception of taking over the entire building at 1212 Market Street, I have not seen any space that I would care to recommend to the Commission for a departmental move. Since 1968 to the present, I have considered thirteen different buildings for a possible move.

"As a temporary measure to provide some needed office and storage space, consideration was given to placing a pre-fab annex to the rear of 100 Larkin Street. However, this was not pursued since the Civic Center area is in a Fire Limit District and a variance would be necessary from the Building Code. Also the possibility of union difficulties was present as the pre-fab contractors are mostly non-union and outside of the City.

"As you know, a lease is being negotiated for the rental of 700 square feet of office space at 1203 Market Street and will be considered by the Board of Supervisors next Monday. I believe that this added space will enable us to consolidate our divisional functions for a more efficient operation.

"Because of the present tight fiscal situation that faces the City, the likelihood of an early departmental move involving perhaps an annual rental of \$115,200 (16,000 square feet at 60 cents a square foot) plus initial alteration costs that might cost an additional \$100,000, seems remote. But the following kinds of things could be done:

- "1. For the immediate future, reallocate as efficiently as possible the space requirements of the department between 100 Larkin, 1212 Market and 1203 Market Street;
- "2. Reinstitute action to acquire all of the floor space at 1212 Market Street;
- "3. While the disposition of the 1212 action is pending, request the Director of Property to continue to keep us informed of the availability of 16,000 sq. ft. of office space in the Civic Center area so that if acceptable space is available, the cost consideration could be separately evaluated;
- "4. Pursue the possibility of an annex to 100 Larkin."

Commissioner Ritchie felt that the Director's report pointed out the fact that, despite the fire regulations and the union considerations, though should be given to increasing the 100 Larkin Street building, possibly by an addition to the building. Accordingly, President Newman appointed Commissioner Ritchie as chairman and Commissioner Rueda as a member of a committee to work with the staff in coming up with a plan for an extension to the 100 Larkin Street building. Commissioner Farrell wondered whether this would affect the meeting on the Capital

Improvements Program to be held the following day. Mr. Jacobs responded that this would have to go in as a supplemental.

Commissioner Fleishhacker brought up the concern of the Commission's inability to use the Board of Supervisors' Chambers when a large meeting is anticipated, as, for example, the Monday night meeting on interim controls. He wondered who had the jurisdiction over that room. Commissioner Mellon responded that there were also others that wanted it from time to time. The Board had even refused to allow a delegation from the State Department to use it. Commissioner Fleishhacker indicated that hostility is borne by the City Planning Commission from the audience when the audience is uncomfortable. Mr. Jacobs indicated that the Supervisors may be objecting to any Commission using the Chambers based on one incident where someone reported the deliberations of a Commission as Supervisors' actions. Commissioner Ritchie felt that possibly not allowing the use of the Chambers was a staff decision and thought that the Supervisors could be asked and they would probably respond in the affirmative. Mr. Newman said that could not possibly be the case. For example, he had asked Supervisor Pelosi as a personal favor to allow the Commission to use the Board Chambers for the interim control hearing and was turned down. Mr. Fleishhacker felt that it was not fair to the Commission that they are blamed for the lack of space; and recommended that the president of the Commission make an announcement at every crowded meeting that the audience was in the straight due to the fact the Board of Supervisors had refused the request for the Chambers; and that the audience should write the Supervisors to indicate this. Commissioner Porter felt that someone should do a public relations job on the Board to determine which supervisors objected to the use of the Chambers. President Newman felt that the gist of the meeting had indicated that a letter should be written to the Board to express the concern of the public and the need for the Board Chambers at certain times during the year.

R73.58 - KEITH STREET REALIGNMENT EASTERLY OF HUDSON AVENUE. VACATION OF EXCESS RIGHT-OF-WAY AND EXCHANGE OF PROPERTY.

Richard Gamble, Planner IV, reported on this matter as follows:

"The Hunters Point Redevelopment Project Planned Unit Development was approved by your Commission on July 10, 1969. The resolution (No. 6404) approving it called for a street pattern in general conformity with the Vehicular Circulation Plan, part of the PUD submitted.

"Keith Street was one of a series of cul-de-sacs on the north side of Hudson Collector Street. On its south side housing was indicated and an elementary school was on the north. The fire department objects to locating schools on dead-end streets and insists on two points of egress to a site. In order to accommodate this need, the Redevelopment Agency proposes to extend the street northerly into Keith Street in the India Basin Industrial Project. By doing so the street can become considerably narrower, a 55 ft. right-of-way instead of 80 feet previously dedicated. Parking, which was to be provided in a center island will now be parallel and will run the

full length of the street, providing considerably more spaces than the previous scheme. Also the cost of a high retaining wall will be avoided by the narrower road scheme.

"The engineering drawings call for 40 ft. curb to curb width with a 10 ft. bus parking bay in front of the school. It would seem that so broad a road could encourage through or fast traffic and that necking down the road to 28 ft. where parallel parking is not needed, as is being done in some other parts of the Hunters Point project, would be most desirable. Unfortunately, the construction contract has already been awarded and the building permit approved, so it may be very difficult to make changes in the design.

"One further complication is the disposition of the several parcels to the northeast of the new road. Originally to be a part of the school site, this steep hillside adjoining permanent public housing is undevelopable. It can be landscaped by the Agency with low maintenance plant material, but it must ultimately be turned over to some City department for maintenance. The Housing Authority is in poor financial condition and would not want to bear this burden, especially since any enjoyment of this landscape would be from users of Keith Street, not dwellers of the public housing. Similarly, the Department of Public Works street planting maintenance budget is so strained that DEW would resist the responsibility. The problem would appear to be the product of the Agency's planning and the School's access needs, and they should share the responsibility for it. The Agency should landscape and maintain the slope for a mixed period, but it should be a part of the school site and the school's responsibility thereafter."

The Director made his recommendation that he be authorized to report that the vacation and exchange of lands of portions of Keith Street, as shown on Bureau of Engineering map P-20-28 is in conformity with the Master Plan provided that (a) the agency make every possible effort, including minor engineering changes and change orders to the contractor to modify the curb alignment such that the width of the roadway is reduced in some places to 28 feet with 40-foot width where parking is permitted, and (b) that the severed hill slope area be landscaped by the agency and included as part of the site conveyed to the school district.

President Newman asked whether there were anyone in the audience who wished to make a statement. A representative of the Redevelopment Agency indicated that he understood the conditions and would try to work diligently to implement them.

Commissioner Porter asked whether this school would be built in view of recent developments or whether this was being recommended in case the development goes forward. The representative responded that in all probability this would be a bond issue situation. But there had been no attempt to sell bonds on it yet. Commissioner Porter asked if the housing were not developed, would the school still be

necessary; in other words, would the school be contingent upon the total housing project. The representative replied in the affirmative. Mr. Jacobs indicated that he had asked the same question, and was told it was a "go" situation. He theorized that the misunderstanding could conceivably have resulted from the fact that there was money for the street and the street was to be constructed, but that although the contract had been let, construction had not yet begun.

Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and unanimously carried that the project was in conformity with the Master Plan provided that the conditions which had been described by the Director were implemented.

R73.51 - McALLISTER AND FULTON STREETS AT BUCHANAN MALL.
OFFICIAL SIDEWALK WIDTH.

Richard Gamble, Planner IV, reported on the matter as follows:

"As part of the development of Buchanan Street mall in the Western Addition redevelopment project the Department of Public Works is proposing extra wide sidewalks where the mall opens to Fulton and McAllister Streets. The purpose of the extension is to prevent parking in front of the mall, making it more visible both for the enjoyment of passing motorists and for the safety of pedestrians crossing these streets. Similar sidewalk extensions are not proposed for Turk Street and Golden Gate Avenue because parking lanes thereon are used as moving lanes during rush hours.

"The proposal is for a 4.75 ft. extension on each side of Fulton Street and a 2.375 ft. extension on each side of McAllister Street. Ordinarily a minimum width of six feet should be utilized for a sidewalk extension if it is intended to prevent parking. Experience with a four-foot extension in the Bernal Heights FACE area showed that some people will park illegally, partially obstructing the moving lane.

"On McAllister Street the sidewalk extension will also serve as a bus loading zone, hence the 40 ft. curb to curb dimension resulting from the 2.375 ft. extension accommodates two ten-foot bus lanes as well as two ten-foot traffic lanes.

"On Fulton Street there are presently four nine-foot traffic lanes and two 6.375 foot parking lanes, a very crowded situation. The extensions, as proposed, would leave a curb width of 39.25 ft., accommodating four almost ten-foot traffic lanes.

"It does not seem reasonable to assume that the ten-foot wide sidewalks will be further narrowed in the future to accommodate four ten-foot moving lanes. A more realistic approach would be to plan for three moving lanes of a more reasonable width, such as twelve feet. This would allow a sidewalk extension to as much as six feet. The traffic engineers prefer the 4.75 ft. extension because it would not eliminate the possibility of achieving four 10-foot lanes during rush hours with tow-away."

The Director recommended that he be authorized to report that the establishment of an official sidewalk width of 14.75 or 16 feet on Fulton Street at Buchanan Street and of 14.375 on McAllister Street is in conformity with the Master Plan.

Commissioner Newman asked whether there was anyone in the audience who wished to speak on the project. There was no one.

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and unanimously carried that the widths described by the Director were in conformity with the Master Plan.

FINAL CONSIDERATION ON BUDGET AND WORK PROGRAM FOR THE DEPARTMENT OF CITY PLANNING, FISCAL YEAR 1974-75.

Allan B. Jacobs, Director of Planning, reported to the Commissioners that he would respond to the commissioners' concerns of two weeks ago, at its regular meeting of November 1, 1973. He indicated that Commissioner Porter had expressed a concern that there was no addition to the secretarial staff; and the secretarial staff agreed. Accordingly, one additional clerk-typist (1424) was added to the budget for a total budget increase of \$8,755. He pointed out that the salary was \$7,165; retirement was \$918; Social Security was \$419; and health service was \$253.

The Director indicated that Commissioners Rueda and Newman had been concerned about the space issue; he felt that issue had been addressed in the Director's report under current matters.

The Director responded to a concern of Commissioner Farrell that it was possible that the figure for rental of office machines may have been a clerical error and would be reported on when Lynn Pio returns from his vacation. In any case, the final column for the request figures was correct.

With respect to the 1974-75 Work Program, since there had been no suggestions for change at the November 1 meeting, it was being submitted in the same form. The Director pointed out, however, that a SPUR endorsement had been received on it.

Commissioner Newman, referring to a letter from the Coalition for San Francisco Neighborhoods, noted their concern on the lack of personnel for enforcement, and the lack of staff for the residential zoning study. He queried the Director as to whether the Department was shooting too low. Mr. Jacobs, indicating that the staff had done an evaluation of the enforcement cases needs, indicated that they had determined that the two additional planners requested for enforcement would take care of the situation. Regarding the concern on the staff for the interim controls, Mr. Jacobs recalled that Commissioner Ritchie had a major concern that the zoning study would require additional staff. The Director had indicated that he would not ask for additional staff, and he wanted to stick by his word on that issue. The Director also indicated that, as a taxpayer, he was concerned that the Department make every effort to conserve money.

Commissioner Mellon asked how many new staff members this budget involved. Mr. Jacobs responded that there would be seven additional staff members requested. Commissioner Mellon also wondered, in view of the new EIR responsibilities, whether additional staff had been requested for that responsibility. Mr. Jacobs responded that none were asked for, but as EIR revisions go through the Board of Supervisors, it may be necessary.

Commissioner Porter felt that the idea of having staff who were familiar with the City work on the residential rezoning study was an infinitely better plan than hiring new staff, who may have master's degrees but who did not know the City.

Commissioner Rueda wondered where people would get loans to do code work if additional people catch them in code violations. Mr. Jacobs pointed out that the enforcement division worked on the Zoning Code violations, for instance, non-conforming uses, rather than Building Code conformity.

President Newman noted that SPUR's letter, in addition to endorsing the work program and budget, volunteered to help the Department and the Commission push the Budget and Work Program through the process of the Mayor's Office and the Board of Supervisors.

It was moved by Commissioner Mellon, seconded by Commissioner Porter, and unanimously carried to approve the Budget and Work Program for the Department of City Planning, fiscal year 1974-75.

President Newman adjourned the meeting at 3:07 P.M.

Respectfully submitted,

Marie Zeller
Acting Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Special Meeting held Friday, November 16, 1973.

The City Planning Commission met pursuant to notice on Friday, November 16, 1973, at 9:00 A.M. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, and John Ritchie, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George Williams, Assistant Director - Plans and Programs; Samuel Jung, Planner IV; Calvin Malone, Planner III; and Marie Zeller, Acting Secretary.

REVIEW OF CAPITAL IMPROVEMENT PROJECT FOR SIX-YEAR PROGRAM FROM 1974-75 THROUGH 1979-80.

Allan B. Jacobs, Director of Planning, opened the meeting by reading the following prepared statement:

"This morning, the City Planning Commission is holding its annual review of departmental submissions proposed for inclusion in the Capital Improvement Program for 1974-75 through 1979-80.

"The function of the Commission in this review is to determine the conformity of the capital improvement projects to the Master Plan, to assign general priority ratings to the various projects, to adopt where necessary appropriate policy statements to clarify the Commission's concerns and to issue a report recommending a program of capital improvements based on the projects submitted by the various departments and agencies.

"While reviewing the various departmental schedules during the preparation of the program, I became concerned about several projects which are for services of engineering staffs. I realize that these staffs are important in the execution of approved projects, but I question the appropriation of funds for these services in abstract. They are not related to specific projects. If these costs are for continuing departmental personnel obligations, then these charges should be placed in the correct budgetary object of expenditure rather than in the capital program. Conceivably, a situation could arise where funds are appropriated to services without a similar fiscal commitment to capital projects to utilize these services. I believe that engineering services should be an integral part of a project's cost (or where studies are involved, a part of a department's operating

budget) rather than a separate line item in the capital program or a personnel charge placed in another section of the budget more-appropriately established for this expenditure category. Therefore, in future years, I will not include these service requests in the capital program. Additionally, I propose to bring this problem to the Capital Improvement Advisory Committee for their consideration of alternative approaches.

"For this year's program, we have adjusted slightly the method of assigning general priority ratings. Those projects which fall in the later years of the program have been given a "C" or "Acceptable" priority rating except for a few cases involving Commission policies or Master Plan considerations. This rating means that the project is acceptable for inclusion in the program. As the project advances toward the budget year in later programs, this priority rating will be reevaluated.

"In accordance with last year's program, the "A" or "Essential" priority rating applies only to a project recommended for the budget or first year of the program. The reason for this assignment is to focus attention on those most significant projects recommended for budget year funding. It is of utmost importance to those projects proposed for funding from ad valorem monies or sales tax receipts. For example, \$9.7 million was recommended to fund budget year requests in 1973-74. Of this amount, \$3.9 million was actually funded. While there may be many meritorious projects proposed in the program, the City does not have the financial resources to fund all of them. The suggested program represents an attempt to develop a balanced schedule of capital improvements which reflect the City's needs and its fiscal capabilities. I trust the various departments and agencies will appreciate this fiscal restraint as we review the schedules which are now before us.

"Before turning the meeting over to Mr. Jung, who will present a brief summary of the program, I would like to thank the various departments and agencies who have participated with my staff in the development of this year's capital improvement program."

Samuel Jung, Planner IV, indicated that 37 operating departments and City agencies, and the San Francisco Community College District had submitted 731 projects, of which 179 were new submissions. He explained that the total cost of the six-year project was \$645 million, sources coming from ad valorem taxes, gas taxes, revenues, bonds and other sources.

Calvin Malone, Planner III, reviewed the new projects which had been submitted by the Assessor, the City Attorney, the Department of City Planning, Civil Service, Controller, Emergency Services, District Attorney, the Fire Department, the Mayor, the Municipal Court, and the Police Department, as they appeared on pages D-1 through D-16 of the staff report dated November 16, 1973.

During the course of the presentation, Commissioner Newman asked, relative to the action that had been taken in the prior day's City Planning Commission meeting regarding departmental office space, whether there should be any changes in the Department of City Planning's request. Mr. Jacobs responded that that action - should go in as a separate package. Commissioner Farrell asked whether the Commission should defer action on that item of general interior alterations. Mr. Jacobs advised holding to the "C" or "acceptable" rating rather than changing it to "A" rating.

Regarding the request from the Controller's Office, Calvin Malone explained that the EDP requirements were quite sensitive, the electrical situation is critical in City Hall, and this results in the "A" or "essential" rating for project No. 124.72.102, to provide an alternate source of electrical service. Commissioner Farrell, responding to Commissioner Porter's concern about the energy crisis, indicated that if Hetch Hetchy were restricted, additional customers would be assigned.

Edward P. Joyce, Director of Emergency Services, indicated that Project No. 131.72.101, constructing an underground emergency operating center at Christmas Tree Point on Twin Peaks, was involved with more than just the Seismic Safety Element; other emergency services would be coordinated in that project. He said that the Emergency Services had been working with the Emergency Planning Committee and Disaster Council, and had been formulating the new emergency telephone number, 911. He urged the Commission to give the project an "essential" rating rather than a "desirable" rating in order that the project could be given the highest priority. Commissioner Fleishhacker asked whether this project would duplicate others. Mr. Joyce responded in the negative, indicating that radio facilities now have to transmit to Twin Peaks, and also that from a topographical point of view, the Emergency Operating Center must be at that point. Mr. Joyce further indicated that it would be used on a day-to-day basis, not just for emergencies, that ambulance, fire and alert services would be upgraded in case of emergency.

Commissioner Porter wondered whether this would be in use in the event of war. Mr. Joyce responded in the affirmative, adding that for that reason the City would receive 50 percent Federal financing. He indicated that he had recently heard from the Federal Government, wondering if San Francisco were interested in the \$450,000 allocated for them. He pointed out that there were 140 such facilities in California, of which 90 are Federally funded. He added that Los Angeles is in the process of completing one of these facilities.

President Newman asked why the allocations were made in phases, in that construction would be completed rather soon after allocations were made. Mr. Malone indicated that the construction would take several years and that the phasing was due to the fact that they would like to get it started; then continue it in later years.

Because of the question of changing the rating of the Emergency Operating Center from "desirable" to "essential," Commissioner Fleishhacker suggested putting it aside until the Commission had seen all of the projects and then making a relative determination.

Regarding the Police Department request, Commissioner Fleishhacker asked how the request would tie in to the Department's Police Facilities Plan. Mr. Malone responded that the staff working on the Community Facilities Plan had reviewed these requests and that they were in line with the plan.

Commissioner Farrell asked why the space study request for the Richmond Station in the Police Departmental Request received a "desirable" rating, and the request for a space study from the Mayor's Office received only an "acceptable" rating. Mr. Malone responded that the CIP staff had tried to take into consideration the type of project, particularly considering the immediate impact on the community; he pointed out that the Richmond Station was really not set up to provide the services to the community, and felt therefore it was justified. Mr. Jacobs added that there is also a public service factor which would add a higher rating to the Richmond Station Police Department request.

Commissioner Porter was curious how it was determined that \$45,000 was necessary for remodeling the Richmond Station, if there must be a study to determine the space needs. Mr. Malone responded that that was the reason that \$45,000 was in the second year request, and in any case, this was a preliminary estimate.

Officer Walsh, representing the Police Department, indicated that the Richmond Station had outgrown its space, what with the new equipment it had purchased. He indicated that the Police Department did not want to request changes in the space situation without a study first. In addition, he indicated that there was a noise problem because of the radios and machines. The structure had been built in 1912, and the addition of new partitions or the tearing down of walls would be premature without a study. Officer Walsh also pointed out that Project No. 161.71.104 calling for alterations in the Internal Affairs Bureau was important because many confidential matters, such as complaints by citizens against policemen, are carried out in that Bureau. Also, the Police Department was requesting a Federal grant, and the provisions for that grant would involve a cash match. Officer Walsh also indicated that Project No. 161.71.111 calling for alterations in the Criminal Information Bureau, and Project No. 161.71.207 calling for alterations for improved efficiency and security in the Criminal Information Bureau, were important in that there were problems with space already, and more space would need to be allocated when the emergency number, 911, becomes effective. He therefore agreed with the "A" ratings on those projects.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and unanimously carried that the projects for the departments which had been reviewed by Mr. Malone be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report, with the exception of Emergency Services.

Commissioner Fleishhacker, speaking about Emergency Services, asked Officer Walsh of the Police Department whether he would give an "A" rating to the Emergency Service's request for Christmas Tree Point. Officer Walsh responded that he would give Emergency Services the utmost priority. Commissioner Fleishhacker indicated that, with so many "A" ratings and with the knowledge that not even all the "A" projects would be funded, the CIP function of the Commission was to give some priority to the projects that were proposed. He wondered which of the "A" rated Police projects Officer Walsh would be willing to give up in exchange for the Commission giving an "A" rating to Christmas Tree Point. Officer Walsh responded that all of the "A" rated Police project requests were of the highest priority.

Commissioner Porter asked just exactly what kind of a facility would be going in at Christmas Tree Point; and would it survive an emergency, an earthquake, and a nuclear war. Mr. Jacobs responded that one of the problems that the staff had with that project involved the massive earth moving that would take place if that project were to go ahead. Additionally, Mr. Jacobs pointed out that the ability to get to it is difficult; in other words, the site may not be the best in that it was not the most accessible spot. Such was the rationale for the "B" rating.

Burton H. Dougherty, General Manager of the Department of Electricity, indicated that the points Mr. Jacobs made were points of concern to him also. With respect to an alternative location, Mr. Dougherty asked what other site would be more accessible. There would be problems of access with almost any site that could be considered. Mr. Dougherty also pointed out that the building would be staffed 24 hours a day, seven days a week on an all-year basis with high echelon key personnel. The Mayor, the members of the Board of Supervisors and departmental heads would have access problems wherever the center was. He felt that the fact that operations would be going on at all times might tend to mitigate the objections that Mr. Jacobs had. Mr. Jacobs indicated that there was a question of whether this site should be in a residential area; also there was the question of what would be accessible in case of an emergency. He suspected that the site may have been chosen without looking in depth for alternative sites.

President Newman indicated that he had more feeling of urgency. He felt it was incumbent upon the City to decide the right place for this facility, if the present site was not good. He felt that good planners plan for emergencies. He suggested putting this item on the Work Program. He wondered if the Seismic Safety Study would really determine this location.

Commissioner Fleishhacker pointed out that putting \$229,000 this year into this project would tend to commit the City to the project in that this item did not represent a study, but construction.

Commissioner Farrell felt like changing the "B" rating to "A." He pointed out that the final funding would be determined by the Board of Supervisors, that this proposal would go to the Mayor and the Board of Supervisors and they would make the final funding determinations. When it was pointed out to Commissioner Farrell that they could change it in any case, he indicated that at least this would keynote it.

President Newman said that he was satisfied with the "B" rating but would not like to come to this CIP meeting next year and have the location problem come up again.

Commissioner Rueda suggested that possibly all the departments involved in this issue could form a committee to study the problem. Mr. Jacobs responded -- that such a committee existed. He pointed out that the committee had voted yesterday to endorse that site.

Mr. Dougherty explained that the Federal government would not fund an emergency facility unless it was combined with other communications facilities, and that a remote control situation does not count. He pointed out that this site was the only one for that radio communication facility. Mr. Jacobs pointed out that the Department would be pleased to come up with a recommendation for a location as part of the Seismic Safety Study.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Farrell and unanimously carried that Project No. 131.72.101 calling for construction of an underground emergency operating center at Christmas Tree Point be changed from a "B" rating to an "A" or "essential" rating.

Mr. Malone then reviewed the new projects which had been submitted by the Department of Social Services, the Sheriff's Department, the Superior Court, the Board of Supervisors, the Juvenile Court, the California Academy of Sciences, the Chief Administrative Officer, the County Clerk, the Department of Finances and Records, the Department of Electricity, and the Real Estate Department, as they appear on pages D-17 through D-32 of the staff report.

Sheriff Richard Hongisto indicated that the Project No. 173.74.101 calling for a rehabilitation program on Jail No. 2, would bring that jail up to standards providing sprinklers, etc., for the State fire standards. He indicated that if these State standards had been in effect, there would have been no fire there last year. Sheriff Hongisto also urged a high priority rating for Project No. 173.74.102 regarding the remodeling of outmoded isolation cells to include doors with windows, bunks, and toilets. He indicated that both the Federal and State system have repudiated the use of the cells as they now exist. The Sheriff wanted to combine the State Fire Marshall standards and the State minimum standards in modernizing the rotunda area, as requested in Project No. 173.74.201. Regarding Project No. 173.74.202, the Sheriff felt that a security capsule for the administration was necessary so that prisoners could not "rush the gate."

Because of the problem of too many "A" ratings, President Newman asked which projects the Sheriff would give a higher rating to in exchange for another one. The Sheriff indicated that he would really like to put an "A" rating on Project No. 173.74.102 to remodel the isolation cells, in exchange for a "B" rating on Project No. 173.69.101 calling for a conversion of the first floor area of Jail No. 2 into classroom and recreation room. The Sheriff indicated he may be able to find alternative financing for the second project.

Accordingly, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker and unanimously carried to put an "A" rating on Project No. 173.74.102 calling for remodeling the isolation cells; and to place a "B" rating on Project No. 173.69.101, calling for conversion of the first floor area into classroom and recreation room.

Robert McClure, business manager for the California Academy of Sciences, responded to a question from Commissioner Fleishhacker regarding the funding of proposed new facilities, indicating that "other sources" would be available as those years come. He indicated that the \$25,000, noted in "other sources" was for the restoration and resetting of the Francis Scott Key monument. He indicated that the funds for future years had not been obtained. In response to a question from Commissioner Farrell, Mr. McClure indicated that Dr. Lindsay had been on record for over a year indicating that the restoration and resetting of the Francis Scott Key monument was of a priority nature, once the Art Commission and the Park and Recreation Commission decide where they would like to put it. Commissioner Porter pointed out that this was a matter of deep controversy.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Farrell, and unanimously carried that the projects for the departments which had been reviewed by Mr. Malone from page D-17 through D-32 be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Malone then reviewed the projects proposed by the Tax Collector, the Purchasing Department, the Department of Public Works, and the Department of Public Health as they appeared on pages D-33 through D-46.

With respect to the Department of Public Works, Mr. Malone pointed out that the projects that were underlined had Redevelopment credit possibilities.

Commissioner Fleishhacker noted that in the Department of Public Works request, approximately \$117 million worth of bonds were all given "A" ratings. He wondered whether the Planning Commission, in fulfilling its duty to review the Capital Improvement Program should not give a priority rating to all of these projects. Mr. Jacobs answered by indicating that that was a valid point, inasmuch as the likelihood of all the Department of Public Works' projects getting funded this year was remote.

Commissioner Rueda indicated that the first item on the Department of Public Works was very vague in calling for miscellaneous reconstruction and replacement items in various public buildings, and wondered whether the Department could come up with a more specific listing of what these items, totaling \$200,000 were actually going to be. Mr. Malone pointed out that ultimately there would be a specific listing but that it was not available for review at this time. Generally, he explained, the items under this category would be less than \$5,000 each. Commissioner Fleishhacker pointed out that normally the Planning Commission did not

look at the Capital Improvements Program until January; this year the whole process was moved ahead two months, and therefore it was difficult to get a specific listing.

Commissioner Farrell pointed out that experience has shown, in the Department of Public Works, that this figure of \$200,000 was about right for all of the projects that they would be responsible for.

Regarding the program for the Department of Public Health, Mr. Joseph Mignola, Assistant Director of Public Health for Hospital Services, indicated that he concurred with the program as presented.

Commissioner Fleishhacker pointed out that there was a "B" or "desirable" rating on Project No. 500.67.146, the Chinatown-North Beach Area, to construct the Northeast Community Hospital. Since that site was undetermined, he wondered whether the "B" rating was appropriate, and suggested changing that rating to "hold." It was also noted that the Hunters Point - Bayview Area wanted to construct an ambulatory health care facility, and that site was also undetermined. The representative from the Public Health Department indicated that the site had been picked, that there was an application pending for funds for that area and it should not be changed to a "hold."

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and unanimously carried that the projects for the departments which had been reviewed by Mr. Malone from page D-33 through D-46 be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report, including the change of designation from "B" to "H" on Project No. 500.67.146 to construct a Northeast Community Hospital in the Chinatown - North Beach area.

Mr. Malone then reviewed the projects which had been submitted by the Fine Arts Museum of San Francisco, the Asian Art Museum of San Francisco, and the Public Library as they appeared on pages D-47 through D-53.

Ron Eggerman, Vice-director for the Fine Arts Museum, explained the new item to provide for protection of art objects from seismic disturbances in the M. H. DeYoung Museum, by indicating that this was more than tying down art objects; there are many skylights in the museum, and this project would also provide for nonbreakable glass for the protection of the people and the art objects. He explained that the priority would go to protecting the most valuable art works first. Mr. Eggerman also objected to the "C" rating on the projects to provide ultraviolet radiation protection in the Legion of Honor and the M. H. DeYoung Museum. He explained that, because of the skylights, there was a great heat increase during the day which cooled off during the night, and because of this heat differential, the pieces of art were changing dimensions. Additionally, the Hearst draperies were fading. Therefore, he felt that the "C" ratings on Project Nos. 621.74.106 and 621.74.107 should be upgraded to a "B" rating.

Regarding the Asian Art Museum requests, Mr. Malone indicated that a representative of that museum was in contact with him that week and requested that the Project No. 622.72.101 to modify the automatic sprinkler system in the storage areas be moved from budget year 75-76 to the current budget year, 74-75.

Mr. Malone explained that there was a two-year requirement on a project being in the Capital Improvements Program, before it could be submitted to the electorate as a bond issue; this was the reason that the Project No. 631.67.201 for new construction of the main library was in the six-year plan.

After discussion, it was moved by Commissioner Rueda, seconded by Commissioner Porter, and unanimously carried that the projects for the departments which had been reviewed by Mr. Malone from page D-47 through D-53 be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report, including the change of the designation "C" to "B" on Project Nos. 621.74.106 and 621.74.107 to provide ultraviolet radiation protection for various galleries in the Legion of Honor and the H. H. DeYoung Museum; and to move Project No. 622.72.102 from budget year 75-76 to the current budget year, 74-75.

Mr. Malone then reviewed the projects which had been submitted by the Recreation and Park Department as they appeared on pages D-54 through D-62 of the staff report.

The Director pointed out that certain specific projects included in the departmental schedule are within the proposed Golden Gate National Recreation Area may not be necessary because of the transfer of lands to the Federal government which was approved by the electorate at the recent election. Mr. Thomas Malloy, representing the Recreation and Park Department, explained that the actual transfer had not been made, but that the Department wanted to go on record that this was necessary. He felt, in agreement with the Director, that it would be appropriate to make a note on all projects within the Golden Gate National Recreation Area that when the transfer to the Federal Government is made, the City and County of San Francisco would not be obligated to finance these areas. Mr. Malloy pointed out that this should not apply to the Yacht Harbor. Mr. Malloy further pointed out that Project No. 656.74.301 improving trails and constructing an overlook and providing parking improvements at Lincoln Park and Project No. 656.74.401 calling for rehabilitation and improvements in Aquatic Park, would be incorporated into the GGNRA area.

Thomas Malloy pointed out that Project No. 648.73.101 to reconstruct the berthing facilities had been involved in a suit which had been settled in the City's favor. In view of that fact and the fact that the funds could be used for reconstruction now, Mr. Malloy suggested that that rating be changed from a "B" to an "A" rating.

Mr. Malloy also pointed out that Project No. 651.74.103 calling for rehabilitation and improvement of the Golden Gate Park Conservatory, should be raised in rating from "B" to "A", since the State had advised the Department that San Francisco would have the highest priority for historical rehabilitation. This particular project involved matching funds, and to contribute to those matching funds, \$40,000

from private sources had already been contributed. With an additional \$40,000 from the City on a priority basis, Mr. Malloy felt that the Department would be in a much better position to get the State grant. He advised the Commission that the Landmarks Preservation Advisory Board had been helping out with this.

Commissioner Porter asked whether the total of \$162,000 was sufficient to do the rehabilitation of the Conservatory. Mr. Malloy answered in the affirmative, pointing out that this would relate only to the actual restoration of the existing buildings, not to the buildings behind it. The Director agreed with the change of designation from "B" to "A" rating on the rehabilitation and improvement for the Conservatory. Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and unanimously carried that the projects submitted by the Recreation and Park Department as they appeared on page D-54 through D-62 be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report, including the change of designation from "B" to "A" of Project No. 651.74.103 to rehabilitate and improve the Conservatory at Golden Gate Park.

Mr. Malone then turned the meeting over to Samuel Jung, Planner IV, who reviewed the new projects submitted by the Department of Public Works - Traffic-ways as they appeared on pages D-63 through D-68 of the staff report.

Richard Evans, representing the Traffic Engineering Bureau of the Department of Public Works, indicated that Project No. 670.68.209, calling for narrowing sidewalks on Larkin Street between California and Union Streets should be dropped.

A representative from the War Memorial asked what effect Project No. 670.70.115 would have on the War Memorial. Mr. Evans responded that the sidewalk narrowing project was part of the A-Z Redevelopment Plan; but that Plan has changed and he felt that the proposal would be abandoned.

Mr. Evans indicated that, with respect to Project No. 672.74.103 calling for the construction of two pedestrian underpasses at the Great Highway, although the Department of Public Works was not necessarily in agreement with the curvilinear configuration of the road, the City was qualified for up to 71 percent Federal funding, and he felt that the underpasses could be designed with either a straight or curvilinear configuration. The Director indicated that he would approve changing the "H" rating to an "A" rating if the words "only if these are in conformance with the Master Plan concept for the Great Highway," were added.

Mr. Evans pointed out that on the three projects listed on D-85 calling for rehabilitation of pedestrian underpasses at Taraval Street, Judah Street, and Wawona Street on the Great Highway, he would request that "rehabilitation" be changed to "reconstruction" because Federal funding was available for reconstruction. Accordingly, the Director recommended that Project No. 675.68.502 503 and 504 be changed from an "H" rating to an "A" rating with the proviso that an insertion be made stating "only if these projects are in conformance with the Master Plan concept for the Great Highway."

Mr. Evans indicated that Project No. 672.74.107 calling for a study of alternative treatments of major street systems in the Richmond District be changed from an "H" to an "A" rating. The Director agreed with the suggestion if the policy statement could then be changed to say that the project should be "coordinated with, but not hold up, the protected residential street program."

Mr. Evans recommended dropping Project No. 672.68.502 calling for the installations of signals at Larkin Street between California and Union Streets.

Mr. Evans pointed out that Project No. 673.74.101 regarding roadway lighting on the Crossover Drive at Park Presidio bypass should be changed from "H" to "A" since 77 people had been injured and two people killed there. He felt that the policy statement calling for a study of the feasibility of undergrounding Crossover Drive through Golden Gate Park would not result in any construction for at least ten years, and by that time more people would be injured and possibly more people killed. The Director was in agreement in the change from "H" to "A."

Responding to a question from Commissioner Fleishhacker, Mr. Jung pointed out that Project No. 675.74.101 to rehabilitate for earthquake safety various bridge structures, would also include various pedestrian over and under passes.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the projects for the Department of Public Works - Trafficways be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report, as modified.

Mr. Malone then reviewed the new Capital Improvement Projects which had been submitted by the War Memorial and Museum of Art as they are contained on page D-87 of the staff report.

Mr. Donald Michalske, representing the War Memorial, noted that Project No. 692.67.101, calling for the replacement and relocation of the sidewalk elevator for the Museum of Art had made it through the Mayor's Office last year, but failed in the Board of Supervisors. He felt that the Museum of Art was in a much stronger position this year because of mandatory rehabilitation work required under the Safety Code of the State of California, and accordingly suggested the change of the "B" rating to an "A" rating.

Subsequently and accordingly, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and unanimously carried that the projects submitted by the War Memorial and Museum of Art be approved as in conformity with the Master Plan subject to the change of rating on Project No. 692.67.101 from a "B" to an "A" rating.

Mr. Malone then reviewed the projects submitted by the Airport Commission as found on the yellow insert numbers D-88 and D-89. Dale Fern, Assistant Deputy of Planning for the Airports Commission, indicated that the Airport's budget had

been reviewed by the staff and the Director, but had not been placed before the Airport Commission as yet. Due to the decrease in funds available, the Airport felt it had to cut its budget, which therefore necessitated the changes shown on the yellow insert.

Subsequently, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and unanimously carried that the projects which had been submitted by the Airport Commission be approved as in conformity with the Master Plan.

Mr. Malone then reviewed the new projects submitted by the Municipal Railway, the Water Department, and Hetch Hetchy as they appeared on pages D-90 through D-102 of the staff report.

Mr. Malone indicated that the "B" rating on Project Nos. 757.74.101 102 and 103 in the Hetch Hetchy system requests on page D-101 should have been "A's."

A representative of Hetch Hetchy systems was present to endorse the projects.

Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and unanimously carried that the projects which had been reported on by Mr. Malone be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report, as modified.

Mr. Malone then reviewed the new Capital Improvement Projects which had been submitted by the Port Commission as they appeared on pages D-103 through D-106 of the staff report.

Miss Miriam Wolff, Director of the Port Commission, indicated that she was available for questions.

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and unanimously carried that the projects which had been submitted by the Port Commission be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

With regard to the statement by the Community College District, indicating a construction and modernization bond program in 1974-75 for \$50,320,000, there was some concern expressed by Commissioner Fleishhacker as to whether this was appropriate. Commissioner Porter indicated she thought maybe this would be outside the CIP's jurisdiction. Mr. Malone indicated that since it is a proposed general obligation bond, it must go through the CIP process.

Mr. Malone explained that the District is considering, as an alternative to the bond program, a long-term, pay-as-you-go capital program to be financed from the property tax. He described some of the history of the Community College District, and advised approving the policy statement as shown on page D-107. He pointed out that the Community College District had not been given final authorization and that the CIP merely included it as a project continued from last year.

Thomas G. Miller, of the Chief Administrative Officer's Office, stated that the school could float its own bond, but the interest rates would be higher. If the Community College District wanted the lower interest rate, it must go through the City and County process for incorporation into that system.

Commissioner Fleishhacker felt that there should be no large-scale capital output until the program is put together. Mr. Jacobs felt that that point was well taken. Commissioner Fleishhacker suggested the additional wording to the policy statement: "No bond proposal or large-scale capital outlay . . . be undertaken until a development plan for these facilities is prepared and submitted to interested City boards, commissions, and officers for their consideration." Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and unanimously carried to endorse the amended policy statement for the Community College District.

President Newman adjourned the meeting at 11:42 A.M.

Respectfully submitted,

Marie Zeller
Acting Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 29, 1973.

The City Planning Commission met pursuant to notice on Thursday, November 29, 1973, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director of Planning; George A. Williams, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Peter Svirsky, Planner V, (Zoning); Richard Hedman, Planner V-Urban Design; James White, Planner IV; William Duchek, Planner III; Alec Bash, Planner III (Zoning); Marie Zeller, Planner III-Administrative; Russell Watson, Planner II; Marcy Lifton, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Carol Krott represented the San Francisco Progress.

1:00 p.m. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing to be held on December 6, 1973.

CURRENT MATTERS

Edward I. Murphy, Assistant Director of Planning, called on James White, Planner IV, who presented and summarized the following memorandum which had been prepared on the subject of a possible rerouting of Route 280:

"The Bay Conservation and Development Commission (BCDC) has formed a committee, the San Francisco Waterfront Advisory Committee, which is presently investigating the waterfront area affected by Route 280. That committee requested that this department review alternatives to Route 280 and its connection to the existing Embarcadero Freeway. This memorandum is a response to that request.

"The present freeway agreement for Route 280 includes a 10-lane wide elevated structure along the water from Piers 30 to 44.

"The City's Master Plan considers this waterfront area a major city land resource with several basic options for land use.

"Recently, there has been much discussion of the City's needs in the use of this waterfront area. As noted in the Master Plan, the appropriate land use option, whether housing, commerce, industry or some combination of these, will need to be determined in the future. The City's present interest is in maintaining the optimum choice in its use of this very major resource.

"In the Northern Waterfront, the elevated Embarcadero Freeway has been often cited as having a blighting effect on the use of that water's edge to the point that it was stopped in mid-air; and, indeed, it now appears that the City's oft-repeated demand to have this structure removed is being considered.

"To build another such structure, while trying to tear down the first, does not seem desirable.

"This department has investigated this particular problem, and would propose an alternative to the present routing of 280. The proposed rerouting of 280 will stand on its own, but in looking at this problem, the proposed alternative solution suggests addressing simultaneously several other transportation issues in this corridor.

"This alternative proposes:

- "1. Stop construction of the ten-lane freeway.
- "2. Connect two lanes to the Bay Bridge and connect two lanes from the Bay Bridge along a new alignment.
- "3. Connect exclusive bus lanes to the Transbay Terminal.
- "4. Build a major parking facility to intercept automobiles at Third Street and King. (New EPA regulations will, of course, have an effect on this proposal).
- "5. Provide continuing shuttle transit; at less than 2 minute headways, in exclusive lanes on the street from the new intercept parking area to the North of Market Street. This transit shuttle would serve Yerba Buena and the SP Commuter. It is assumed that this vehicle would be similar to the vehicle now presently used by the Yosemite Park shuttle service.

"Rerouting the 280 Connection to the Bridge

"The presently planned connection from Route 280 to the Bay Bridge will overload the system. The approach to which it connects, the Broadway approach, is operating at capacity. The addition of 280 traffic will completely stop the operation of this segment of the Bay Bridge approach during much of the high demand period.

"The proposed rerouting of this connection is not only simpler and away from the waterfront, but can be designed in a manner which would improve the flow of bridge traffic. For instance, under this proposal, traffic coming off of the Bay Bridge, not bound for downtown San Francisco, would not be mixed with the traffic that is bound for downtown. The route is a shorter connection and disrupts a minimal number of structures, jobs, and present land use.

"Taken alone, this change of connection to the bridge is better than the presently designed connection and should be adopted whether or not the remaining route changes or whether any other parts of this solution are adopted.

"Other Transportation Objectives in the South of Market Area

"In the South of Market area, there are several problems which could be addressed in a transportation solution to Route 280.

"A. Southern Pacific

"For several years, Southern Pacific will continue to provide a major transit service to the peninsula. The relocated station at Fourth and Townsend, is not significantly different from the Third Street station, it's still a poor terminus for the commuter (because it is still far removed from where he or she wishes to be). A convenient, reliable movement system into the Financial District is needed and should be a part of the overall transit system in this corridor.

"B. Yerba Buena

"In the City Planning Commission's recent hearings on the environmental impact statements for Yerba Buena Center, it became obvious that access to events and uses in the Yerba Buena Center would become more critical as one were further away from Market Street and Mission Street, the transit arterials. The deletion from the original redevelopment plan of the "people mover" which ran from BART to Folsom Street makes questionable the pedestrian access from the transit arterials to the main arena area. The distance

from the arena to BART is over a third of a mile, a long distance to expect a commuter to walk, and probably much too far to expect the special event patron or tourist (using the convention facilities) to walk.

"There is an urgent need to provide transit access to Yerba Buena from major transit and acceptable parking locations.

"C. Parking Belt

"The Master Plan delineates a 'Preferential Parking Belt' in the South of Market area. Essential to the concept of intercepting automobiles at the 'belt' is the institution of an effective transit shuttle system into and about the core area. This system is not now effective.

"The Bayshore/280 Corridors to San Mateo

"More than 700,000 person trips a day are predicted for the Bayshore Corridor in 1995. Today there are more than 500,000 person trips. Even if BART is extended to San Mateo more than one transit mode will be required to meet this demand. At the present time, the interim operation of an expanded bus transit system to San Mateo would seem to be the most practical solution to expanding needs. Bus lanes connecting to the Transbay Terminal, mentioned previously, to serve such an expanded system would be desirable in either a BART or no BART situation to San Mateo.

"A proper connection to the Transbay Terminal would provide a more viable bus system and would not put more buses on the city's crowded streets.

"The Non-Waterfront Alignment

"The proposal in Sketch II is an approach to the several levels of transportation problems:

- "1. How to route this roadway with minimal disruption to the waterfront or other uses,
- "2. How to approach the added traffic 280 will place in the South of Market area, and at the same time help two existing problems (S.P. and Y.B.C.), and
- "3. How to provide for the improvement in mass transit from San Mateo.

"Implementation.

"This proposal or any proposal will require a cooperative effort by several separate operating agencies (State Department of Transportation, Municipal Railway, the Parking Authority, the Department of Public Works, etc.). To properly discuss the various aspects of implementing any such solution, the Metropolitan Transportation Commission, as the regional transportation authority, must take the lead in coordinating the involved agencies' efforts."

At the conclusion of the presentation, Mr. Murphy offered the following recommendation to the Commission:

"Recommendation

"It is requested that the City Planning Commission endorse this memorandum and authorize the Director to:

- "1. forward this memorandum to the San Francisco Waterfront Advisory Committee,
- "2. advise the Metropolitan Transportation Commission of this Commission's concern and request that the Metropolitan Transportation Commission, as the regional transportation agency, explore among the affected agencies, the feasibility of changes suggested herein and to explore the overall relationship of such a solution to the objectives of the Regional Transportation Plan,
- "3. forward this memorandum to the Board of Supervisors, and request that the Board:
 - "a. endorse an investigation of the realignment suggested herein,
 - "b. request that M.T.C. consider this proposal or others as it affects the Regional Transportation Plan,
 - "c. request that M.T.C. assume a coordinating role among the many agencies effected by this plan, and

"d. request that the California State Highway Commission explore, in concert with the City, the advantages or disadvantages to both the City and the State, from a re-alignment of this route, and

"4. forward this memorandum to the office of the Mayor."

Commissioner Ritchie remarked that the new alignment which was being proposed by the staff seemed to him to be far superior to the original alignment proposed by the State Division of Highways; and he believed that the new alignment would be much more acceptable to people in the area. However, he felt that it was important that the new route should be designed in such a way as to avoid taking property occupied by Schmidt Lithograph.

Commissioner Mellon observed that the alternate route would be far less expensive to construct than the route originally proposed by the State.

After further discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Mellon and carried unanimously that the staff memorandum be endorsed in principle and that the Director be authorized to transmit the memorandum to other agencies as outlined in Mr. Murphy's recommendation.

Because of lack of time, Mr. Murphy indicated that he would defer the remainder of his report until later in the meeting.

EE.73.135 - APPEAL OF A DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT WILL BE NECESSARY FOR A PROPOSED DRIVE-IN BANK TO BE LOCATED AT 275 WEST PORTAL.

Commissioner Fleishhacker stated that he intended to disqualify himself from participation in the discussion and vote on this matter because of a possible conflict of interest.

Robert Passmore, Planner V (Zoning), described plans for the proposed building; and he indicated that the staff had received a letter from Rino Bei, Program Manager for the S.F. Municipal Railway, requesting that no uses which would tend to attract additional automobiles onto West Portal Avenue be approved until an exclusive right-of-way for the Municipal Railway has been approved and established. Mr. Passmore stated that the proposed project would be in conflict with the Transit Preferential Streets Policy of the Commission; and as a result, the project could have a detrimental effect on the environment. For that reason, the staff had determined that an Environmental Impact Report should be required. Since the proposed drive-in banking facility would be a principal permitted use under the present zoning of the property and thus not ordinarily subject to review by the Commission, it would be necessary for the Commission to conduct a discretionary review of the building permit application if it were determined that the project would have a significant impact on the environment. In order to avoid such a problem in the future, he felt that the Commission might wish to consider establishment of a requirement that all

automobile-oriented uses on Transit Preferential Streets be brought before the Commission as conditionally use cases.

Commissioner Porter asked if she were correct in understanding that the staff was primarily concerned about the drive-in aspect of the proposed use. Mr. Passmore replied in the affirmative and indicated that the staff would have issued a negative declaration if the plans had not contained the drive-up windows.

Commissioner Mellon remarked that additional parking would be needed for customers of the bank if the drive-up windows were to be eliminated.

Commissioner Rueda commenting that the staff concern seemed to be related specifically to traffic matters, asked if it would be possible for the applicant to do only a traffic and transportation study rather than an entire Environmental Impact Report. Mr. Passmore replied that the Environmental Impact Report would probably focus most directly on traffic and transportation considerations.

President Newman asked if other drive-in facilities presently exist on West Portal. Mr. Passmore replied that some drive-in uses, such as service stations, do exist in the area. However, the proposed facility would be the first drive-in bank in the neighborhood.

President Newman noted that each of the members of the Commission had received a letter from Robert E. Hauser, Vice President of Crocker National Bank, regarding the matter under consideration.

Truman Carlson, Vice President of Crocker Bank, remarked that the letter which had been sent by Mr. Hauser had pointed out that the subject property is properly zoned for the proposed use, that the initial reaction of the staff of the Department of City Planning had been favorable, and that the bank did not believe that the proposed drive-in facility would generate new traffic in the neighborhood. In addition, the letter had pointed out that the proposed facility would be a much less intensive use of the 150 feet of street frontage on West Portal Avenue and would be the case if full advantage were taken of the zoning of the property. Mr. Carlson stated that the Crocker Bank was not opposed to environmental review; however, he felt that the bank had met all of the basic requirements of the staff of the Department of City Planning in their plans for the proposed project.

President Newman remarked that construction of a new bank with drive-up facilities on West Portal Avenue might encourage other banks in the area to provide drive-in facilities also, thus leading to even greater traffic congestion in the area.

Mr. Carlson doubted that the properties occupied by other banking facilities in the neighborhood would lend themselves to drive-in banking activities.

Commissioner Rueda inquired about the number of on-street parking spaces which would be removed if the proposed facility were to be constructed. Mr. Carlson estimated that only two or three on-street parking spaces would have to be removed to accommodate the facility.

Commissioner Mellon asked about the hours of operation of the proposed bank. Howard Bobren, also representing the Crocker National Bank, replied that the facility would be open between 9:00 a.m. and 5:00 p.m. Monday through Thursday, and from 9:00 a.m. to 6:00 p.m. on Fridays.

President Newman asked if the West Portal Merchants Association had taken a position regarding the proposed project. Mr. Passmore replied in the negative. He estimated that the proposed facility would have approximately 1,250 customers, or 16% of the banking customers in the West Portal area. Most of the bank's customers would visit the facility only one time each week. Approximately 30% of their visits would be made on Friday, for a total of approximately 400 people; and, of that total, only 30% or approximately 120 customers would use the drive-in facility. Even if 100 of those customers were to visit the facility between 3:00 p.m. and 6:00 p.m. the ensuing traffic would not be very heavy.

In response to a question raised by Commissioner Rueda, the architect for the applicant stated that space would be available to accommodate seven automobiles waiting to use the drive-up facility.

Gerald Cauthen, representing the Municipal Railway, stated that streetcars are already having problems on West Portal Avenue; and, since West Portal Avenue will be a collecting point for streetcars waiting to form trains to enter the new subway, additional traffic congestion on West Portal Avenue could destroy the efficiency of the subway unless the Municipal Railway right-of-way is separated from automobile traffic. While a separate right-of-way for the Municipal Railway would solve the problem, he noted that opposition had been expressed to that proposal.

Edward I. Murphy, Assistant Director of Planning, advised the Commission that the traffic information which had been available had not been sufficient to enable the Director of Planning to make a determination that the proposed facility would not have an adverse effect on the environment; and, as a result, the Director had determined that an Environmental Impact Report should be prepared to provide that information. However, if a traffic and transportation study were to be made by the applicant, that study might provide the Director with sufficient information on which to base a negative declaration.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended that the subject application be withdrawn by the applicant, that a traffic and transportation study be made, and that a new application be submitted with sufficient information to enable the staff to determine whether the project might have an adverse effect on the environment.

President Newman asked if the approach which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Carlson replied in the

affirmative, indicating that he would withdraw the application and prepare a traffic and transportation study.

Commissioner Ritchie requested that the staff handle the new application as expeditiously as possible.

At this point in the proceedings, Commissioner Fleishhacker reassumed his seat at the Commission table.

LM73.5 - CONSIDERATION OF PROPOSAL TO DESIGNATE THE HUNTERS
POINT SPRINGS AND ALBION BREWERY AT 881 INNES AVENUE
AS A LANDMARK.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator) summarized the historic and architectural characteristics of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a Landmark.

President Newman asked if anyone was present in the audience to speak in opposition to the proposed designation and received a negative response.

Leonard Mee, owner of the subject property, stated that he had no objection to the proposal to designate the building as a Landmark providing that he could legally use the building as an office for the S.F. Mountain Spring Water Company.

Mr. Steele stated that he believed there would be no problem with the use proposed for the structure; and he recommended that the building be designated as a Landmark.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7104 be adopted and that the proposal to designate the Hunters Point Springs and Albion Brewery at 881 Innes Avenue as a Landmark be approved.

LM73.6 - CONSIDERATION OF PROPOSAL TO DESIGNATE THE SYLVESTER
HOUSE, 1556 REVERE AVENUE, AS A LANDMARK.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), described the historic and architectural characteristics of the subject building upon which the Landmarks Preservation Advisory Board had based its recommendation for Landmarks designation. He stated that the owner of the building had not been able to attend the Commission's meeting; however, the owner had indicated his support of the proposal to designate the building as a Landmark. Mr. Steele recommended that the proposal to designate the building as a Landmark be approved.

No one was present in the audience to speak in opposition to the proposal.

After discussion, it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7105 be adopted and that the proposal to designate the Sylvester House, 1556 Revere Avenue, as a Landmark be approved.

At 3:15 p.m. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:25 p.m. for hearing of the remainder of the agenda.

3:25 p.m. - Room 282, City Hall

CURRENT MATTERS (Continued)

Commissioner Fleishhacker, noting that the Department of City Planning had received a number of letters requesting the Commission to conduct a discretionary review of a building permit application for conversion of an R-1 residence at 2420 Pacific Avenue, asked if the staff was prepared to make a recommendation on whether such a discretionary review should be held. R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), replied in the negative but indicated that the staff would report on the matter next Thursday, December 6. If a discretionary review is to be held, it could be scheduled for Thursday, December 13.

Commissioner Ritchie stated that he had read in the papers that a question had arisen before the Board of Supervisors during their meeting on Monday about the possibility that he might have been involved in a conflict of interest in voting on a conditional use application for an automobile wrecking yard at 1095 Underwood Street because he owns property in the area and because he represents the owners of other properties in the neighborhood. He stated that he had been in Salt Lake City attending a Church conference on the date when the hearing had been held by the Commission; and, as a result, he had participated neither in the discussion nor the vote on the matter. He requested that President Newman address a letter to Supervisor Von Beroldingen, advising her of those facts.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that President Newman be instructed to write the letter as requested by Commissioner Ritchie.

ZT73.4 - CONSIDERATION OF PROPOSED AMENDMENTS TO TEXT OF CITY
PLANNING CODE TO PROVIDE INTERIM CONTROLS IN RESIDENTIAL
ZONING DISTRICTS.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on this manner as follows:

"This matter was presented to the Commission on November 1, 1973, with a report of that date and a draft ordinance. On November 19 the Commission held a public hearing on the proposed interim controls, and at the conclusion of that hearing Allan Jacobs, the Director of Planning, responded to all of the points that had been raised.

the following table showing the results of the work done during the year 1902-1903. The table is divided into two columns, the first of which gives the number of specimens of each kind of animal collected, and the second column gives the number of specimens of each kind of plant collected.

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TABLE I.

Number of specimens of each kind of animal and plant collected.

The following table shows the results of the work done during the year 1902-1903. The table is divided into two columns, the first of which gives the number of specimens of each kind of animal collected, and the second column gives the number of specimens of each kind of plant collected.

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"Mr. Jacobs is not able to be here today, but the recommendations I will make to you have been discussed with him, and he has directed that I give this report on his behalf .

"The staff appreciates the keen interest and the clear and constructive statements made by all the participants at the many meetings held and in the public hearing. It is our belief that in the time since September 6, when the Commission requested the study of interim controls, the matter has been given quite significant publicity, and that comments from the public have been adequately sought and noted .

"It was suggested at the hearing that more time be given, perhaps as much as two months. It does not appear, however, that such additional time would produce new insights or more information. Instead, that time would see the filing of more building applications, and quite likely more requests from neighborhoods for rezonings. As a consequence, the efforts of the staff and the Commission would have to be focused upon those matters as well as these short-term controls, with little or no time available for the longer-term study that is to lead to permanent residential controls. Accordingly, the proposals for interim controls are presented to you today for action .

"In recommending the proposals to you, the staff wishes to suggest certain modifications in the controls as presented on November 1. These modifications are based upon a review of the comments received from all sources, a review that sought to accommodate changes that could reasonably be made without altering the scope or violating the intent of the proposals. The modifications are as follows:

"1. Landscaping of front set-back areas.

"A number of comments were made to the effect that when front set-backs are provided, they should be landscaped to assure that they will be assets to the neighborhood. The set-back provision was intended to produce landscaped areas, and adding a requirement of this sort would be consistent with that intent .

"The change would be made by adding a new paragraph at the end of Section 161 which relates to set-backs, stating that all set-back areas required by the Section shall be appropriately landscaped.

"2. Screening of parking in buildings.

"A second point raised, somewhat similar to the first, is the screening of automobile parking in buildings. This matter has been a troublesome one for some time, and comment is made upon it in the Urban Design Plan. More recent buildings have tended to have doors or other enclosures as a security measure as well as for design reasons, and such enclosures do not add significantly to building costs. Open parking is already required to be screened in residential areas, and screening should also be required for parking in buildings.

"This change would be made by inserting a new Section 164, providing that in R-2 through R-5 districts, every off-street parking space within a building shall be screened from all streets and alleys through use of garage doors or by some other means. Sections 164 and 165 which follow would then be re-numbered, and certain cross-references in Section 160 would be changed to conform.

"3. Alternative method for averaging set-backs .

"A third comment made pertains to the method of establishing the required set-back where the proposed building falls between two other buildings that have existing set-backs of differing depths. As the proposed controls how stand, the new building would have to observe a set-back in the form of a straight line which was the average of the two set-backs on either side. It was pointed out that if the new set-back could be irregular, still keeping within the range of depth of the two adjacent set-backs, the same amount of open space could still be provided without exposure of blank side walls and with additional design opportunities. This change could benefit both the neighborhood and the individual owner.

"The change would be made by inserting a new subsection (b) in Section 161, stating that an alternative method of averaging may be used, giving an irregular set-back within the depth between the set-backs of the two adjacent buildings, provided the ground area of the set-back was not reduced, and also provided the resulting open area was exposed to the side that had the larger adjacent set-back. If someone later wanted to build on the next property, this property would be regarded as having the set-back that was originally required. With this new subsection inserted, the remaining subsections in Section 161 would be re-numbered, as well as the cross-references in Section 162(b) and in the new Section 161(d).

"4. Additional rear yard compensation for set-backs.

Comments were made by various builders concerning the minimum depth of building considered feasible. The figure of 65 feet was used, and sometimes 70 or 75 feet. This depth becomes especially critical where a front set-back is required, since under the proposals as they now stand the first 15 feet of the set-back is lost to the building and cannot be made up for in the in the back is lost to the building and cannot be made up for in the rear yard. In many situations, on the deeper lots, on corner lots, and generally on R-4 lots, the building depth may not be seriously compressed, but on R-3 interior lots a set-back requirement will present a problem.

"Greater flexibility can be produced by decreasing the rear yard requirement as the set-back increases. This has already been provided for in the case of set-backs of between 15 and 30 feet. On the other hand, the rear yard requirements established in these controls are based upon the scale of existing development, and they ought not to be relaxed if the existing pattern of rear yards will be jeopardized. For that reason, the sliding of the building into the rear yard ought to be permitted only where the rear yard left on the subject property will be at least as great as the average of the rear yards on the two adjacent properties.

"To make this change, subsection (b) of Section 162 would be rewritten to allow a required set-back of any depth to be made up for by an equivalent reduction in the rear yard, so long as the resulting rear yard was no less than the average of the two adjacent rear yards, or, in the case of a corner lot, the one adjacent rear yard. The absolute minimum of 15 feet for the rear yard would remain in effect. The change would require deletion of several words ('of more than 15 feet') in Section 161(c), and insertion of a similar cross-reference to the compensation provision in Section 161(d).

"One other point to note is that with the new set-back averaging provision described earlier, it must be the straight set-back line originally required, and not the irregular one, that determines how far the building may be pushed back on the lot.

"5. Inclusion of R-2 districts in rear yard requirements.

"The rear yard requirements, as proposed, apply only to R-3 through R-5 districts, excluding R-2. It has been felt that a serious problem has not existed in R-2 in this respect, due to the lower density permitted. But it has been pointed out that there are some examples of out-of-scale buildings in R-2, especially on larger lots, and that the problem may increase if the new stand-

ards for R-3 and R-4 encourage greater interest in building on R-2 lots. The best time to consider inclusion of R-2 would seem to be before the rear yard problem becomes more serious in that district.

"If the rear yard requirements were to be applied to R-2, then it would be appropriate also to include R-2 in the provision prohibiting the facing of dwelling units on small light courts, making all the provisions parallel for new buildings in R-2 through R-5.

"These changes would be made by inserting 'R-2' before 'R-3' in Section 162(a) and 162(c) to make the R-2 and R-3 rear yard requirements identical, and by adding 'R-2' before 'R-4' in Section 163 pertaining to exposure of dwelling units. There should also be small changes in several other sections so that the list of districts covered by each provision would appear in the section itself rather than in Section 160; this would be merely for clarification.

"6. Cut-off date for filing of permit applications.

"It has been suggested, especially by some of the builders, that a cut-off date be established for filing of building permit applications under the existing standards. Without such a provision, it would be the issuance of a permit, rather than filing of an application, that would be subject to a cut-off, and the Planning Code provides that the cut-off for issuance of permits would be established for filing of permit applications, it would be reasonable to have it occur six to eight weeks before the expected effective date of the ordinance -- such a period is the average processing time between filing of an application and issuance of a permit.

"This kind of provision has the advantages of stopping the rush for permits before the changes are effective, and it also allows for normal processing of applications already on file. There is a precedent in the adoption of amendments affecting the R-3 districts in 1964, which had such a cut-off provision regarding filing of applications.

"The Planning Commission cannot establish a cut-off date, but it could request that the Board of Supervisors do so. It is recommended that such a request be made to the Board, and that an appropriate date for the cut-off would be at approximately the time of the first hearing on these amendments by a Committee of the Board."

Commissioner Porter indicated that she was concerned about the fact that the interim controls might result in a situation in which a new building would have to provide a 45-foot rear yard while its neighbors, which existed previously, would have rear yards with a depth of only 25 feet. In that case, the larger rear yard would serve to the advantage of no one; and the builder of the new structure might be forced to construct smaller units.

Mr. Steele replied that the requirement might result in reduction of the number of units in the new building; however, he did not believe that the size of the units would necessarily be affected.

Commissioner Fleishhacker remarked that the existing buildings with 25-foot-rear yards on either side of the new building with a 45-foot rear yard would not necessarily remain forever.

Commissioner Rueda remarked that an alternate approach might have been to say that all front set-backs and rear yards should be of a stated size.

Mr. Steele stated that the staff had been careful to make no attempt to establish standards which would make all new buildings the same. The purpose of the interim controls was to try to keep residential neighborhoods as they are at present pending completion of a comprehensive residential zoning study; and he believed that new buildings could be constructed reasonably within the confines of the standards which the staff had proposed.

President Newman asked if Modification No. 4, as proposed by Mr. Steele, had been made in response to comments raised by builders. Mr. Steele replied in the affirmative.

Commissioner Fleishhacker remarked that the staff had determined that owners of properties with deep front set-backs would be unduly penalized unless they were permitted to reduce the size of their rear yards to some extent; and, as a result, Modification No. 4 seemed to provide a fair compromise.

Commissioner Porter asked if the ordinance which had been prepared by the staff would require that all existing set-backs in San Francisco be maintained. Mr. Steele replied in the negative, indicating that the ordinance would not require that a set-back be retained if neither of the adjacent buildings provided a set-back. However, the ordinance would require new structures to provide a set-back if one or both of the adjacent structures had a set-back. He emphasized that the purpose of the ordinance was to retain the existing set-back pattern in any given residential neighborhood in the city.

Commissioner Fleishhacker, noting that Modification No. 5 as recommended by Mr. Steele would extend the rear yard requirements of the interim controls to R-2 districts, stated that he, also, was concerned about preserving the quality of R-2 neighborhoods. However, since very little construction has been taking place in R-2 districts, he felt that the Commission should be careful not to establish standards which would discourage any new development whatsoever in R-2 districts. Under the circumstances, he wondered if application of the rear yard requirements to R-2 districts would be wise.

Mr. Steele stated that R-2 districts have not yet been faced with the problem of having new buildings constructed which are out of scale with their neighbors; however, representatives of some of the neighborhood organizations had felt that the problem could arise; and it was primarily for that reason that the staff had proposed Modification No. 5.

Commissioner Porter stated that she, also, was concerned about extending the rear yard requirement to R-2 districts. Already, construction in R-2 districts is limited by a density standard of one unit for every 1500 square feet of lot area; and she feared that application of the new rear yard requirement would further lessen the development potential of R-2 lots. She remarked that no more than 28 buildings were constructed in R-2 districts last year; and she was not aware that any of those buildings had caused any problems in the neighborhoods in which they are located.

Mr. Steele stated that R-2 buildings approved in 1973 have had an average depth of 62 feet; and he indicated that buildings of that depth would be permitted under the proposed controls on a standard lot.

Commissioner Fleishhacker stated that a building could be constructed with a depth of 62 feet only if the lot it is to occupy has a depth of more than 100 feet. He then remarked that Modification No. 2 as proposed by Mr. Steele would establish a requirement for screening automobile parking in buildings located in R-2 through R-5 districts; and he asked why R-1 districts had been excluded from that requirement.

Mr. Steele stated that almost all garages in R-1 districts have doors or are screened in some manner. Since no problems seem to exist in R-1 districts, the staff had seen no reason to recommend that they be affected by the proposed interim controls, which otherwise apply only in R-2 through R-5 districts.

Commissioner Rueda remarked that many R-3 and R-4 properties throughout the city have recently been "down-zoned" to R-2; and, in view of that fact, he felt that it might be unfair to the owners of those properties to establish new rear yard standards for R-2 districts at this time. Therefore, he felt it would be preferable to eliminate Modification No. 5 as proposed by the staff.

Mr. Steele stated that R-2 standards at the present time are more permissive than R-3 standards in some respects; and, since the purpose of recent reclassifications from R-3 to R-2 has been to maintain the existing character of the residential neighborhoods involved, it seemed to him that approval of Modification No. 5 would be appropriate. Again, he emphasized that the basic purpose of the proposed interim controls was to maintain the present character of residential neighborhoods until the comprehensive residential zoning study has been completed.

Commissioner Ritchie commented on the fact that the number of units permitted in residential zoning districts has been reduced in a number of ways during the past decade in San Francisco. Nevertheless, structures continue to be built in the city which, in the minds of many, are not attractive and which almost seem to overflow their lot lines. He emphasized, however, that the situation had not developed because builders want to construct ugly buildings. Rather, the situation had developed because of the cost of land, building materials, labor, and taxes which have created an economic situation in which builders have had to economize in any way they can. As a result, the architecture and appearance of new buildings has been affected; and, because of public concern over the situation, new residential zoning controls were being proposed and considered.

Commissioner Mellon called attention to the fact that the Commission, at the conclusion of its hearing on the proposed interim residential controls, had requested people to submit any additional information which they might have in writing. He stated that he had received a letter from the Chamber of Commerce during the interim; and he requested that it be read in its entirety.

President Newman stated that he intended to summarize the mail which had been received. He stated that approximately 28 letters had been received from residents of Nob Hill urging that properties in that neighborhood with height limits up to 320 feet be subject to the interim controls; and he requested the staff to comment on those letters.

Mr. Steele stated that it was small apartment houses which had generated the concern which had led to pressures for the establishment of interim controls; and he indicated that the interim controls had been drafted to apply specifically to small apartment buildings. As a result, the draft ordinance contained a provision specifying that the interim controls would pertain only to structures with a height of 65 feet or less. He remarked that most new buildings with a height in excess of 65 feet would come before the Commission for environmental review or for some special type of approval in any case. He also noted that an application on file to lower height limits on Nob Hill to 65 and 40 feet; and he remarked that no new buildings exceeding those heights may be constructed on properties affected by the application while the application is pending. If the Commission should act favorably on that application, reducing height limits on Nob Hill to 65 feet and 40 feet, all construction on properties affected by the application would then be subject to the interim residential controls.

President . Newman summarized the correspondence which had been received by the Commission during the interim since the public hearing which was held on November 19, as follows:

From Telegraph Hill

Telegraph Hill Dwellers, in support; Mr. & Mrs. Kenneth Evers, in support; John Coyle, requests postponement; Lloyd Quock, requests postponement; Mr. and Mrs. Gene Morsenti, request postponement; Helen McCarthy, requests postponement; June Coyle, in opposition; Edmund Demartini, requests postponement; Anna Morelli, in opposition; Dr. and Mrs. Loring Demartini, request postponement; Mr. and Mrs. Michael Sabatino, in opposition; Mrs. Milla Z. Lo gan, in opposition;

From Various Organizations

Mrs. Hans Klussmann, President, San Francisco Beautiful, supports; Robert C. Kirkwood, SFUR President, endorses; Mrs. Diane Hunter, Land Use Chairperson, San Francisco Tomorrow, endorses; Charles Starbuck, San Francisco Ecology Center, endorses; Howard A. Friedman, President, Northern California Chapter of the American Institute of Architects, endorses; Ralph L. Coffman, Pacific Heights Association, supports but requests additional provisions;

Bert Schwarzschild, President and Jude Laspa, Planning Committee, Chairman, Eureka Valley Promotion Association, endorse; Selig A. Gellert, President of SPEAK, endorses, N. Arden Danekas, President and J. D. Bulkley, Chairman, Interim Controls Study Committee, PAR, endorse; Terry Covert, Nob Hill Neighbors, endorses but requests inclusion of buildings over 65 feet;

From Residents of Nob Hill

Robert Morgan, requests inclusion of Nob Hill; Carolyn Shaffer, in favor; Deane E. Carberry, supports; Dr. & Mrs. Ben Colloff, requests inclusion of Nob Hill; Bob Hockward, requests inclusion of Nob Hill; Mr. and Mrs. Thomas Bell, request inclusion of Nob Hill; M. Fullenlove, requests inclusion of Nob Hill; Mr. John D. Stoddard, requests inclusion of Nob Hill; Jane Baker, requests inclusion of Nob Hill; Edison Fong, requests inclusion of Nob Hill; Edward VanEgri, requests inclusion of Nob Hill.

For Others

Mrs. Helen Kaplanoff, requests action on interim controls; and James J. Garrett, requests inclusion of provision making controls applicable to all pending building permits.

President Newman then read a letter which had been received from William D. McCormick, Chairman of the Codes Committee of the Greater San Francisco Chamber of Commerce, as follows:

"Thank you for the opportunity to submit additional comments in support of our request that you allow more time for study of the proposed interim residential zoning controls.

"We find ourselves in complete agreement with the goal of providing solutions to residential zoning problems that have become more apparent with an increased awareness of the environment in recent years. There is no question that changes must be made. The essential questions involve the nature of the changes and their effectiveness, their broad impact on the city, and the procedures and timing involved in their formulation and adoption. We believe that these questions should be resolved and a direction proposed and established before, not after, such a step as the interim zoning is taken.

"In regard to the broad impact on the city we submit the following questions and points for your consideration.

- "1. Effect on the number of new units constructed. There is a serious housing shortage in San Francisco - ABAG says we need 56,000 new units. The approximate 25 per cent reduction in units on a typical lot may very well make it uneconomical for new construction.

Builders have testified that this will be the case. Under 'interim' controls it is unreasonable to assume that land prices will decrease. The cost per unit will therefore increase. Construction costs are increasing at a minimum of 10 per cent per year. What will be the effect on the tax rate? On jobs?

- "2. Effect on the cost of housing. It seems entirely reasonable that higher costs per unit and a diminished supply will mean higher rents for all of the 60 per cent of households that rent in the city.
 - "3. Effect on people who want or need to live in the city. It has been stated that the proposed controls would keep people in the city. It would seem that the net result may be just the opposite.
 - "4. Effect on the quality of the residential environment. It appears that a few may gain at the expense of many. The staff has indicated that one result may be the construction of multi-family units in commercial zones which are not affected by the new yard requirements. It is difficult to see how such a solution could add to the quality of life in San Francisco.
 - "5. Effect on the size of new dwelling units. It appears that the new yard requirements would reduce the size of buildings to such a degree that apartments would have fewer and smaller rooms, thus lessening the quality of housing in the city.
 - "6. Preservation of existing housing. While one intent of the new controls may be to preserve existing housing, the opposite may occur. For example, three single family homes zoned R-3 may presently be replaced by twelve new units. Under the proposal it would be necessary to remove four homes to achieve the same number of new units. The net effect could thus be the removal of one-third more existing buildings. More basically, what is the character of housing being removed? Is it worth saving?
 - "7. Preservation of neighborhood character. This goal might be met in some areas. However, in those areas that are substantially developed under the present law the goal would be exceeded at the expense of new developers and future residents.
 - "8. Advantages vs. disadvantages. It is not clear who will gain and who will suffer from the changes. We suspect that the disadvantaged in the city would become more so.
- "The following comments pertain to the specifics of the proposed controls.
- "9. Disadvantages of front setbacks. The indiscriminate perpetuation of front setbacks is questionable. In most cases these 'yards' will be additional expanses of pavement necessary to provide access to the entry and garage. Landscaping opportunities will be minimal. Bare side walls will still be exposed where setbacks

are averaged, although we have previously suggested a method whereby this problem could be overcome by permitting averaging within new structures.

"10. Height of new buildings. The shorter buildings made necessary by increased yard requirements could bring about the construction of four-story buildings in place of the three-story buildings that are common under current law. This could create a new problem in terms of relationship to neighborhood scale. It also could increase the hazard due to fire because of the type of construction normally used.

"11. Criteria for exemptions for conversions. The proposed method for granting an exemption for parking requirements when certain older dwellings are to be converted into multi-family units appears highly subjective and difficult to administer fairly.

"The following comments concern timing and procedures.

"12. Scale of the problem. There is no definition of the scale of the problems to be alleviated by the proposal. A clear description of the positive and negative effects and their magnitude is sorely needed. Many environmental impact reports on relatively minor projects contain more information on which to base a decision than does the written material on this proposal of city-wide impact.

"13. Effect on property owners. Many properties have been purchased with the intention of building under the present law - at commensurate prices. What are the negative effects on such owners compared to the positive effects for others?

"14. Alternatives. What alternatives to the present proposal have been considered? Has a system based upon the existing character of individual blocks been considered? Is it not possible to respond positively to the need for new housing while safeguarding low-density residential areas?

"15. Speed of action. The need for immediate action has not been substantiated. There has been little general public awareness of the proposal. Minorities, lower income groups and the large majority of average citizens have not participated.

"Present zoning has existed for over two decades. It is difficult to understand why the law must be changed overnight at the expense of public participation and the development of more decision-making information. Staff has said that the proposal will stop the applications for down zoning, but there is no assurance of this. In fact, a neighborhood coalition has requested assurance that this would not prohibit such applications.

"16. Duration of interim controls. It has been said that three years is a short time. If so, why are interim controls needed? If not, greater care should be taken in the adoption of interim controls.

"17. Relationship to master plan. The staff should prepare an analysis of how the proposal responds to the urban design and residence elements of the plan. There appear to be some contradictions.

"In sum, we hope that these points indicate that there is need for additional study and changes. We believe that additional time will permit a more democratic process and a more satisfactory result."

Virginia Fusco, Secretary of the Marina Civic Improvement and Property Owners Association, Inc., advised the Commission that her organization wholeheartedly supported the proposed interim controls but had not yet communicated its position; she indicated that she would confirm that support in writing.

Commissioner Fleishhacker stated that he had received and read a copy of the letter from the Greater San Francisco Chamber of Commerce; and he felt that many of the statements made in that letter could not be substantiated. He had also received a number of letters from people living on Telegraph Hill who seemed to feel that the proposed interim controls would make it impossible to build anything in that neighborhood where many of the existing houses cover their entire lot; and he wondered if, in fact, the interim controls would have the effect of penalizing that neighborhood.

Mr. Steele replied that the interim controls being considered had been drafted in the form of a City Planning Code text amendment; and, as a result, all R-4 districts in the city, whether on Telegraph Hill or elsewhere, would be affected. The only way to afford special treatment to Telegraph Hill would be to legislate a zoning map change, creating a special zoning district for that area; and he indicated that consideration would be given to that approach during the course of the comprehensive residential zoning study which is to be undertaken by the staff. He stated that development on many lots on Telegraph Hill does conform to the proposed interim standards; and, in cases where it does not, it probably fails to meet present Code standards, also. In cases where extreme hardship might exist, variances from the provisions of the City Planning Code can be considered. He emphasized that the interim controls being considered would be in effect for only a relatively short time; and he doubted that much new construction would be proposed on Telegraph Hill during that period.

Commissioner Ritchie, noting that Commissioner Fleishhacker had remarked that the letter from the Greater San Francisco Chamber of Commerce contained many statements which could not be substantiated, stated that it was his opinion that the letter had also contained a number of statements which could be substantiated. In any case, the basic request of the Chamber was for additional time to study the proposed controls; and he noted that other individuals and groups had made

similar requests. He asked the staff to comment on what effect postponement might have on the overall objectives being sought through the interim controls.

Mr. Steele stated that the first eight questions posed in the letter from the Chamber of Commerce had been raised previously; and he indicated that they would be considered during the course of the comprehensive residential zoning study. In any case, they could not be resolved within a two-month period. One of the modifications which he had recommended earlier in the afternoon addressed itself to the ninth issue which had been raised by the Chamber. With regard to the tenth point which had been raised by the Chamber, he stated that the Fire Department has realized that four-story buildings may pose greater hazards than three-story buildings; and, as a result, higher standards have been set for four-story construction. With regard to the issues made in point number fifteen of the Chamber's letter, Mr. Steele remarked that the groundswell of applications for "down-zoning" of residential neighborhoods throughout the city clearly indicated that the community is quite concerned about the twenty-year old zoning standards presently in effect; and, in view of that concern, the staff of the Department of City Planning felt that it would be appropriate to enact the interim controls immediately so that no further unnecessary damage would be done to the city's residential neighborhoods. He believed that the interim controls would protect the city's residential neighborhoods to a great extent; and, in addition, they would provide the staff of the Department of City Planning with an opportunity to concentrate on formulation of proper residential regulations in a comprehensive way.

President Newman asked if Mr. Steele believed that the questions raised by the Chamber of Commerce could be resolved if the Commission were to postpone action on the interim controls for two months.

Mr. Steele replied in the negative and indicated that he believed such a postponement would only encourage the filing of a major number of building permit applications and a large number of re-zoning requests; and staff would have to be taken away from the comprehensive residential zoning study to process those applications. He advised the Commission that the number of building permit applications being filed had increased considerably since November 1; and, in response to an inquiry made by Commissioner Porter, he stated that 23 building permit applications had been received by the Department during the month of November for apartment buildings with three or more units. The number of applications received during that month was three or four times greater than the number of applications which had been received during the preceeding four months. He stated that additional applications are being received each day which could further damage the neighborhoods in which the new buildings will be located.

Commissioner Porter remarked that Telegraph Hill, which is zoned R-4 and has a 40-foot height limit, is extremely densely developed; and she asked what effect the proposed interim controls would have on owners of property in that neighborhood. Mr. Steele replied that he felt the interim controls would have very little effect on the owners of property in that area.

Commissioner Porter then asked what size rear yard would be required by the interim controls on an R-4 lot measuring 50 feet by 137½ feet on Telegraph Hill. She remarked that a 15-foot rear yard would be legal at the present time.

Mr. Steele replied that the interim controls would require a 53-foot, 9 inch rear yard for a property of that size; however, he indicated that few lots of that size exist on Telegraph Hill. The number of units permitted on such a lot, subject to a 40-foot height limit, would effectively be limited by the number of parking spaces which could be provided on the site. If one level of parking were provided, 16 units could be constructed; and, if two or more levels of parking were provided, more than 16 units could be constructed.

Milla Logan, 576 Greenwich Street, stated that she had been advised that the Telegraph Hill Dwellers had not taken any official position regarding the proposed interim controls; and she indicated that the telegram which had been received by the Commission had been sent by members of the Executive Board of the association, none of whom own property in the neighborhood.

President Newman stated that the telegram which had been received from Gregory Jones, Vice President of the Telegraph Hill Dwellers, read as follows:

"The Telegraph Hill Dwellers enthusiastically support the position taken by neighborhood coalition on proposed interim zoning controls. Urge Planning Commission adopt proposed ordinance with coalition's proposed modification."

Commissioner Ritchie, noting that Mr. Steele had stated that granting of the postponement requested by the Chamber of Commerce could result in a rush of building permit applications for buildings which would further damage the neighborhoods in which they would be located, stated that he would be offended if he were a builder and felt that he was dealing with a planning staff which was taking the attitude that the building which he was proposing to construct would damage the neighborhood in which it would be located. He emphasized that each building must be judged on its merits; and he also pointed out that people's objections to new buildings which are being constructed result as much from poor facade architecture as from factors covered by the proposed interim controls.

Mr. Steele stated that what he had intended to convey by his remark was that most R-3 buildings being proposed at the present time take full advantage of the entire building envelope permitted, extending farther back into the rear yard area than adjacent residences and interrupting the established pattern of development. Buildings of that sort had aroused concern in various neighborhoods throughout the city; and the interim controls which had been formulated by the staff of the Department of City Planning were designed to address that type of problem.

Commissioner Ritchie stated that he was in favor of interim controls; however, he felt that imposition of the interim controls would probably seriously hamper a developer's opportunity to construct buildings which will bring an adequate return on his investment.

Commissioner Porter stated that she had no objection to the proposed interim controls as they would apply to the Richmond District, the Sunset District, Pacific Heights, and other neighborhoods of the city which have been concerned about the type of new apartment buildings which are being constructed. However, she was concerned about the effect which the interim controls would have on Telegraph Hill, which is not a family neighborhood; and she questioned whether it would be fair to place Telegraph Hill under the same controls as the Richmond or the Sunset District. She continued to feel that different standards should have been formulated for the highly dense and developed Telegraph Hill neighborhood.

Mr. Steele stated that the comprehensive residential zoning study would probably result in recommendations for special controls for special districts such as Telegraph Hill; however, it had not been possible to differentiate between different R-4 districts in the interim controls.

Commissioner Rueda noted that Mr. Steele had stated that the staff did not feel a serious problem has existed in R-2 districts with regard to rear yard standards; yet, one of the modifications which he had proposed would make R-2 districts subject to the interim rear yard requirements. He asked for clarification of that apparent inconsistency.

Mr. Steele stated that individuals who had spoken at the public hearing had maintained that the problem will arise in R-2 districts; and, in response to that testimony, the staff had decided that it would be preferable to modify the interim controls to bring R-2 districts under the new rear yard requirements at the present time rather than at a later date.

Commissioner Fleishhacker observed that the proposed interim controls would be in effect for a maximum of three years; and he indicated that the comprehensive study, covering all residential districts from R-1 through R-5, is to be completed by the end of that three-year period, or earlier. Postponing the enactment of the proposed interim controls would inevitably delay completion of the comprehensive study for a comparable period of time; and he did not believe that such a delay would be desirable. In conclusion, he emphasized that the Commission could recommend changes in the interim controls at any time during the three years in which the interim controls are to be in effect if it should become evident that hardships have been created by certain aspects of the controls.

Commissioner Porter stated that she was very much in favor of interim controls. However, she felt that the proposed amendments presently under consideration contained a number of fallacies and faults; and she believed that further considerations could be spelled out more clearly in certain areas. Under the circumstances, it was her suggestion that the Commission should recommend adoption of the interim controls for only one year. At the end of that time, if it appears that the interim controls are achieving the desired effect, the Commission could recommend that they be extended for an additional two years.

After further discussion, Commissioner Fleishhacker moved that the interim controls, as recommended by Mr. Steele with the exception of Modification No. 5 which would have made R-2 districts subject to the interim rear yard requirements, be approved and that they should be in effect for three years. The motion was seconded by Commissioner Rueda.

Commissioner Ritchie felt that the interim rear yard requirements should apply to R-2 districts, also; and he moved to amend the main motion to include approval of Modification No. 5 which would make the interim rear yard requirements applicable to R-2 districts. The motion failed for want of a second.

Commissioner Porter remarked that the proposed interim controls, covering residential districts in all parts of San Francisco, had been drafted in a very short period of time; and she felt that it would in fact, be very difficult for the Commission to make changes in the legislation to resolve inequities if the controls were to be approved for a three-year period. On the other hand, if the controls were to be approved for only one year, and if no inequities were apparent at the end of that time, she felt that approval of the controls for an additional two years could be easily obtained from both the City Planning Commission and the Board of Supervisors. Therefore, she moved that the main motion be amended to specify that the interim controls would be approved only for a period of one year rather than three years.

The motion was seconded by Commissioner Mellon.

Commissioner Fleishhacker felt that it would be preferable to approve the interim controls for a period of three years with the understanding that any changes which might be desirable could be considered by the Commission at any time during that period. If the interim controls were to be approved only for one year, requests for changes would inevitably be received; and, at the end of six or nine months, the staff would have to stop work on the comprehensive residential zoning study to prepare for public hearings concerned with amendment of the interim controls. He believed that the best approach would be to approve the interim controls for three years and to make every effort to complete the comprehensive residential zoning study within two and one-half years.

Commissioner Rueda stated that he tended to agree with Commissioner Porter that it would be difficult to effect changes in the interim controls if they were to be approved initially for a three-year period.

Commissioner Ritchie also supported Commissioner Porter's proposal for a one-year approval of the interim controls. While he believed that Commissioner Fleishhacker's contention that approval for only one year instead of three would result in additional work for the staff of the Department of City Planning, he felt that both the Commission and the public would be grateful for an opportunity to reconsider the interim controls at the end of a one-year period.

At the request of Commissioner Fleishhacker, Mr. Steele responded to the proposal to approve the interim controls for a period of only one year. He agreed with Commissioner Fleishhacker that the one-year limitation might place an extreme burden on the staff, taking personnel away from the comprehensive residential zoning study and delaying preparation of that report. He was confident that the proposed interim controls would effectively maintain the present pattern of development in the city's residential neighborhoods pending completion of the comprehensive residential zoning study; and he felt that they should be approved for the three-year period originally recommended so that the staff could focus its attention on the comprehensive study.

Commissioner Mellon acknowledged that approval of the interim controls for only one year might result in additional work for the staff of the Department of City Planning; however, he continued to feel that it would be desirable for the Commission to review the effectiveness of the controls after one year. He emphasized that the motion which had been made by Commissioner Porter made it clear that it would be the intention of the Commission to extend the interim controls for two additional years if such an extension seems appropriate after they have been in effect for one year.

President Newman felt that the Commission should approve the proposed interim controls for three years, thus giving the staff a mandate to proceed with the comprehensive residential zoning study. He emphasized that any inequities which might be found in the interim controls after they have gone into effect could be changed at any time.

Commissioner Porter remarked that the proposed interim controls would affect almost all of the residentially zoned property in the city; and she noted that complaints had been received from some individuals and groups to the effect that neither they nor the members of the Commission had had sufficient time to study the new controls. She believed that everyone could "survive" under the interim controls for one year; and, at the end of that time, the controls could be extended if they appear to be satisfactory.

Commissioner Fleishhacker felt that it would be extremely unwise to limit approval of the interim controls to a period of only one year, thus causing the staff to start preparation for another series of hearings within a few months. If anything, he felt it would be preferable to approve the interim controls for two years with the possibility of a one-year extension rather than to approve them for one year with the possibility of a two-year extension. That approach would enable the staff to make some headway with the comprehensive residential zoning study before further deliberations are opened concerning the interim controls. If the interim controls were approved initially only for a period of one year, neighborhood organizations probably could not be persuaded to refrain from filing applications for large-scale "down-zoning"; and, as a result, the staff's comprehensive residential zoning study might not be completed for four or five years. He emphasized that the interim controls would affect only residentially-zoned properties in the city. Of these residentially-zoned districts, only the R-3 districts would be significantly affected by the interim controls; and even in the R-3 districts, he did not feel that the impact of the controls would be too great.

President Newman asked how the conduct of the comprehensive residential zoning study would be affected by a decision to enact the interim controls for a period of only one year. Mr. Steele replied that personnel are being taken away from other projects to work on the comprehensive residential zoning study and the interim controls. If the interim controls were to be approved for only one year, he believed that the Department of City Planning would be "swamped" with requests for large-scale residential re-zoning; and, if so, staff would have to be removed from the comprehensive residential zoning study to process those applications.

After further discussion, the question was called and the Commission voted 5 to 2 in favor of Commissioner Porter's motion to amend the main motion to specify that the interim controls would be approved by the Commission for only one year subject to reconsideration and possible extension for two additional years at the end of that time. Commissioners Farrell, Mellon, Porter, Ritchie, and Rueda voted "Aye"; Commissioners Fleishhacker and Newman voted "No".

When the question was called on the main motion, as amended, the Commission voted unanimously to adopt Resolution No. 7106 which specified that the interim controls recommended by the staff in its report of November 1, 1973, subject to the modifications in the further staff report of November 29, 1973, but not including the fifth recommended modification pertaining to inclusion of R-2 districts in the rear yard requirements, and subject to a further modification that the duration of the interim controls be changed from a period of three years to a period of one year, be approved.

CURRENT MATTERS (Continued)

The acting Director and Richard Hedman, Planner V - Urban Design, reported on the status of plans which are being prepared for possible expansion of the Department of City Planning's building at 100 Larkin Street.

George A. Williams, Assistant Director - Plans and Programs, advised the Commission of a report which has just been published by the S.F. Fair Housing Planning Committee.

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 6, 1973.

The City Planning Commission met pursuant to notice on Thursday, December 6, 1973, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; George Carey, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV (Zoning); Daniel Sullivan, Planner IV (Zoning); Peter Groat, Planner IV - Urban Systems Analyst; John Phair, City Planning Coordinator; Ronald Jonash, City Planning Coordinator; Marie Zeller, Planner III - Administrative; Alec Bash, Planner III (Zoning); DeWayne Guyer, Planner II; Paul Rosetter, Planner II; Nathaniel Taylor, Planner II; Moira So, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Carol Kroot represented the San Francisco Progress.

Approval of Minutes

It was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the minutes of the meeting of October 18, 1973, be approved as submitted.

Current Matters

Edward I. Murphy, Acting Director of Planning, advised the Commission that the Planning and Development Committee of the Board of Supervisors, meeting next Tuesday, will consider the "Places of Aid" amendment to the City Planning Code.

Mr. Murphy informed the Commission that a letter had been received from the Clerk of the Board of Supervisors stating that Supervisor Pelosi had suggested that the Department of City Planning give the fullest consideration to realistic, up-to-date parking requirements in residential districts. A reply had been sent stating that this matter will be given attention during the comprehensive residential zoning study and as the directives of the environmental protection agencies are fulfilled. Recommendations will be forwarded to the Board of Supervisors as they become available.

President Newman noted that a letter had been received from the Clerk of the Board of Supervisors stating that Supervisor Kopp had introduced a resolution - directing the City Attorney to institute action to abate the operation of an automobile dismantling business at 1095 Underwood Avenue. R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that he is inquiring into the legality of the proposed action and indicated that he will keep the Commission advised on the matter.

At this point in the proceedings, Commissioners Carey and Miller arrived in the meeting room and assumed their seats at the Commission table.

George A. Williams, Assistant Director - Plans and Programs, made the following statement:

"On October 4th the Director of Planning reminded the Commission that the Department of Housing and Urban Development had amended their contract with the City in order to provide an additional \$35,000 for the purpose of preparing a reuse plan for the Hunters Point Shipyard, and reported that a letter requesting proposals was being sent to selected firms.

"The proposed plan is intended to provide background data as well as land use and circulation guidelines for the reuse of the Shipyard. The plan will enable us to assist the Mayor's Office of Economic Development, which has the major responsibility concerning the conversion of the shipyard to civilian uses. Although the Shipyard is included in the South Bayshore Element of the Master Plan, much of it is there designated as 'housing, common and personnel support facilities--Naval Shipyard.'

"The reuse issues are complex. In addition to the industrial portion, the Shipyard contains housing, shoreline with recreation potential, and much vacant land. There are also nearly 500 acres of tidelands within the boundaries of the Yard. There are circulation problems as well as the potential to use roads within the Yard to ease Candlestick and India Basin traffic problems. There is a major problem of the inadequacy of sewage treatment facilities for the Yard.

"The request for proposal was sent to: Arthur D. Little, Inc., Development Research Associates, Gruen, Gruen and Associates, Sedway/Cooke, Stanford Research Institute, Advocate Design Associates, Jordan, Mathis & Associates, Livingston and Blaney. Four proposals were subsequently received, and a review process by our staff as well as representatives of the Office of Economic Development followed.

"Both the Sedway/Cooke and the Development Research proposals were deemed to be of particular merit, and when viewed jointly they offered an approach which, it was felt, would result in a beneficial process and useful end product. Therefore, a joinder of the two firms was sought and a joint proposal received.

"We are now ready to enter into a contract and to begin the study. The resolution before you will authorize the Department to enter into this contract and the study to be undertaken."

President Newman asked if staff from the Department of City Planning would be assigned to work with the consultants on the proposed study. Mr. Williams replied in the affirmative, indicating that one member of the staff would be assigned to the project almost full-time and that other staff people would be assigned on an "as needed" basis.

Commissioner Porter asked if the study would be co-ordinated with the Mayor's Office. Mr. Williams replied in the affirmative, indicating that the Mayor's Office of Economic Development would be involved in the study process.

Mr. Murphy recommended that the draft resolution be adopted.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7107.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator) delivered the following report to the Commission:

"Building Application No. 428016 was filed October 16, 1973 to convert an existing three story one-family dwelling into a two-family dwelling and to add a two car garage in the existing front yard. The only exterior change other than the added garage would be to remodel the existing side entrance so that it provides the principal access to the new top floor apartment. Changes on the top floor would change that floor from bedrooms for former servants to a five-room, two-bath apartment.

"Letters have been received from twenty-five residents of the neighborhood asking whether such a conversion is permissible under the City Planning Code and asking that we check on a rumor that a part of the building would be used for a 'Yoga institute.'

"Section 127 of the Planning Code provides that additional dwelling units, each having a separate outside entrance, may occupy any lot in an R-1 District which contains at least three thousand square feet for each dwelling unit on the lot. Since this lot has an area of 6,769 square feet, two units are permitted. Since there is no required front yard on this block, the garage is also permitted.

"We have discussed the question of the Yoga institute with the owner of the building and he has told us that he has no intention of using the building for anything other than his residence and the one other residential unit. The owner has written a letter stating that the only use of this property will be residential."

Commissioner Porter asked if the proposed two-car garage would have to be located in the front yard area of the property. Mr. Steele replied that only one off-street parking space would be required by the City Planning Code in conjunction with the proposed conversion; and he felt that it was possible that that parking space could be accommodated within the existing structure. He also pointed out that the Code requirement for the additional parking space could be made the subject of a variance request.

J. Levine, 2504 Pacific Avenue, requested that the discretionary review be held and that efforts be made to explore the possibility of developing the proposed garage within the existing structure. He stated that that approach had been used recently in the 2400 block of Pacific Avenue.

Mr. Murphy recommended that the Commission instruct the staff to continue to work with the owner of the subject property to see if it would be feasible to accommodate the parking spaces within the existing building; and he indicated that he would be prepared to report further on this matter during next week's meeting.

After discussion it was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that this matter be continued under advisement until the meeting of December 13, 1973.

Mr. Steele then presented the following report to the Commission:

"Building Application No. 426355 was filed on September 4, 1973, to construct an eight-unit apartment house on the northeast corner of Turk and Stanyan Streets. The application has almost completed the reviewing process and a permit is about ready to be issued.

"The proposed building would have two residential floors over a ground story containing the lobby, a parking garage and storage space. The lot has 66 feet of frontage on Stanyan Street and 93 feet on Turk Street. Six garages would be entered from Stanyan Street and two from Turk. The two residential floors would be identical with three two-bedroom units and one three-bedroom unit on each. There would be an eight foot front yard on Stanyan and a twenty-one foot rear yard behind the building.

"The subject property is in an R-3 zoning district. However, an application to reclassify the frontage on the north side of Turk Street from Parker to the rear of lots fronting on Arguello Boulevard (including the subject property) will be scheduled for hearing at your January zoning hearing. That proposal would make this frontage R-2, the same as adjacent property to the north.

"This is one of three buildings in this neighborhood by the same builder, Drake Builders of Richmond, California. A six-unit building at the southeast corner of Turk and Parker has been approved. An eight-unit building at the northeast corner of Turk and Rossi is held pending the preparation of an environmental impact report as a result of the recent appeal to the Planning Commission of a negative declaration on that property. The plan for the subject building is identical with the Turk and Rossi Building.

"A telegram, six letters and a petition bearing signatures of ninety-seven persons who live in the neighborhood have been received in opposition to the proposed building. The letters generally express the feeling that an eight-unit apartment house is not in keeping with the predominant development of the neighborhood which is one- and two-family dwellings."

Commissioner Porter asked if most of the people who had signed the petition requesting the discretionary review live in one- or two-family buildings rather than in larger apartment buildings. Mr. Steele replied that one individual who had signed the petition lives in a four-unit building. The remainder of the signators reside in one- or two-unit buildings.

Commissioner Fleishhacker asked if a discretionary review will be held on the building permit application for the building to be constructed at Turk and Rossi Streets. If so, it seemed to him that the discretionary review for both buildings should be held simultaneously.

Mr. Steele stated that he assumed that the Commission would wish to conduct a discretionary review of the permit application for the building to be located at the corner of Turk and Rossi Streets if it is determined that the proposed building might have a negative impact on the environment. However, he indicated that the staff had not yet received the material necessary for preparation of the Environmental Impact Report on that project; and, after the report is published, thirty days would have to elapse before a public hearing could be held.

Mr. Murphy noted that a considerable amount of concern had been expressed by the residents of the neighborhood regarding the subject application; and, therefore, he felt that the request for a discretionary review of the plans should be granted. However, since an Environmental Impact Report is being prepared on an identical structure to be built by the same developer on property located only one block away from the subject site, he felt that the discretionary review of plans for the building to be located at Turk and Stanyan Streets should be deferred until the public hearing is scheduled on the Environmental Impact Report for the building to be located at Turk and Rossi Streets and that the two matters be considered simultaneously.

After discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Miller, and carried unanimously that action be taken in accordance with Mr. Murphy's recommendation.

Presentation of Housing Vacancy Report

Peter Groat, Planner IV - Urban Systems Analyst, presented and summarized the report and responded to questions raised by members of the Commission. The report is available in the files of the Department of City Planning.

2:00 P.M. - ZONING HEARING

CU73.43 - 554 ASHBURY STREET, EAST LINE, 25 FEET NORTH OF HAIGHT STREET. REQUEST FOR AUTHORIZATION TO USE PART OF THE EXISTING BUILDING FOR THE OFFICE OF THE SICKLE CELL ANEMIA DISEASE RESEARCH FOUNDATION; AN ELEMOSYNARY INSTITUTION; IN AN R-3.5 DISTRICT. (UNDER ADVISEMENT FROM MEETING OF OCTOBER 4, 1973)

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), noted that this matter had been taken under advisement from the meeting of October 4, 1973, to provide time for investigating the feasibility of obtaining suitable office space for the facility in the commercially zoned district along Haight Street. A study of the available office space on Haight Street had been made by the Mayor's Office of Economic Development; however, no space had been found which would serve the purposes of, and be within the financial means of, the Sickie Cell Anemia Disease Research Foundation. Mr. Steele noted that the Director of Planning, during the meeting of October 4, had stated that he would recommend approval of the subject application if a suitable alternate location for the foundation could not be found; and, since no suitable alternate quarters had been found, he recommended that the application be approved subject to four specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. A representative of the Sickie Cell Anemia Disease Research Foundation replied in the affirmative.

Anna Guth, President of the Haight Ashbury Improvement Association, stated that she had no objection to the Sickie Cell Anemia Disease Research Foundation; however, she felt that its offices should be located in one of the vacant buildings on Haight Street rather than in a residential area. She stated that efforts are being made to preserve housing in the Haight Ashbury neighborhood; and, as a result, she felt that approval of the subject application, allowing residential space to be used for office purposes, would set a bad precedent.

President Newman stated that the Commission had received a letter from Mark Buell, Director of the Mayor's Office of Economic Development, confirming that satisfactory alternate quarters for the Sickie Cell Anemia Disease Research Foundation had not been found on Haight Street. At the present time, the Foundation pays \$150.00 a month rent for the space it occupies at 554 Ashbury Street; and the Foundation had indicated that it could not afford to pay more rent. The most reasonable space found on Haight Street was renting for \$275.00 a month; and that space would require a considerable amount of rehabilitation.

Commissioner Porter, remarking that \$150.00 a month is quite a low rental fee, asked if the foundation has a lease-hold on the space at 554 Ashbury Street. A representative of the Sickie Cell Anemia Disease Research Foundation replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7108 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU73.57 - 27, 41 AND 45 RANDOLPH STREET AND 178 BRIGHT STREET, SOUTHWEST CORNER OF RANDOLPH AND BRIGHT STREETS.
REQUEST FOR LEGALIZATION OF AN EXISTING BOARD AND CARE HOME
FOR 24 MENTALLY RETARDED INDIVIDUALS; IN AN R-1 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of four lots with 100 feet of frontage on Randolph Street and 129 feet of frontage on Bright Street for a total area of 12,900 square feet. Two of the lots are developed with two-family dwellings. He stated that the buildings have been used - as a board and care home for the past seven years; and he indicated that 21 ambulatory individuals are housed in the buildings at the present time. The applicant had requested permission to continue use of the buildings as a board and care home for 24 mentally retarded individuals.

James Allen, representing the applicant, felt that the facility operated by his client is compatible with the neighborhood in which it is located.

No one else was present to speak in favor of the subject application.

President Newman stated that the Commission had received 24 letters in support of the application and one letter in opposition to the proposal.

Lonnie Lawson, 414 Head Street, stated that he is a resident of the subject neighborhood and a member of the Board of Directors of OMI. He stated that he was opposed to the subject application; and he felt that board and care facilities should not be allowed in residential neighborhoods unless proper supervision is provided.

Commissioner Porter, noting that the subject facility had been in existence for seven years, asked if Mr. Lawson had found it to be a nuisance. Mr. Lawson replied in the negative. He noted, however, that a mini-park is located across the street from the subject property; and, when mentally retarded children are allowed to play in the park without proper supervision, they are often harassed by other children in the neighborhood. He believed that the best solution to the problem would be to install recreational facilities for the mentally retarded children on the property occupied by the board and care home.

Mrs. Christine Gardner, 171 Bright Street, stated that at least three other board and care homes are already located in the same block; and she felt that approval should be withheld from future proposals for similar uses in the immediate area.

Mr. Steele stated that State law provides that board and care homes for six individuals or less may be located in residential districts without specific approval of the local planning department; and he remarked that the other facilities which had been mentioned by Mrs. Gardner might fall into that category. He emphasized, however, that the City Planning Commission had already adopted guidelines for location of board and care homes which specify that no more than one facility of that sort should be allowed in a single block; and he stated that the staff of the Department of City Planning is working with the appropriate State agencies to implement those guidelines.

Mr. Gardner stated that he agreed with his wife that no additional board and care homes should be allowed on the subject block.

Earl Johnson, 154 Bright Street, advised the Commission that the facility under consideration houses adults and not children; and he advised the Commission that there are a number of dogs on the property. Both the adult patients and the dogs had frightened his daughter, making her afraid to go to school.

President Newman stated that the Commission had received a letter from Mr. and Mrs. Day, property owners on Bright Street, objecting to the dogs on the subject property.

A resident of 166 Bright Street stated that she was opposed to the subject application because the neighborhood already has enough board and care homes which allow their children to wander around the area without supervision.

Eddie L. Woodrow, the applicant, stated that his wife has been working with mentally retarded people for the past thirty years in a number of State and local institutions. He advised the Commission that he and his wife never allow individuals from their facility to walk on the street without an attendant; and he stated that he had submitted a letter to the Commission attesting to both the quality of the facility and the level of supervision offered. In reply to a question raised by Commissioner Newman concerning the objection raised about the presence of dogs on the property, Mr. Woodrow stated that he had found it necessary to obtain the dogs to protect the facility at night. At first, he had hoped that a five-foot fence would provide ample protection; however, children from the neighborhood tended to tease residents of the board and care home over the fence. He had then raised the fence to a height of seven feet; but that had failed to solve the problem, particularly at night. He stated that he was apologetic about the inconvenience which the dogs may have caused to other residents of the area; and he advised the Commission that he is getting professional help on how to teach the dogs to be quiet.

Commissioner Miller inquired about the ages of individuals presently housed in the board and care home located on the subject property. Mr. Woodrow replied that he and his wife are able to care for individuals ranging from 16 to 64 years of age. At the present time, however, individuals housed in the facility range in age from 19 to 50 years.

Mr. Steele recommended that the application be approved subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Woodrow replied in the affirmative.

President Newman then observed that the members of the City Planning Commission had made a field trip to the subject property and had been pleased to find that the residents of the facility were seemingly happy, being engaged in a game of basketball at the time.

Commissioner Fleishhacker, noting that other facilities apparently exist in the neighborhood over which the City Planning Commission has no control, suggested that the Commission's approval of the subject application should be limited to one year. While the facility presently under consideration might approach the ideal in many respects, it could have a detrimental impact on the neighborhood in the long run if the other board and care facilities in the area should continue to exist. Under the circumstances he felt that the Commission should review the circumstances in the neighborhood in one year and determine at that time whether the conditional use authorization should be extended.

Mr. Steele remarked that the guidelines for board and care homes which had previously been adopted by the Commission had specified that no time limits would be established for existing facilities; and he noted that smaller board and care homes do seem to be less stable than larger ones such as the one presently under consideration. Nevertheless, it would be possible for the Commission to review the situation in the subject neighborhood at the end of one year if it so desired.

Commissioner Rueda asked if it would be possible for the Commission to withhold its decision on the subject application for one year. Mr. Steele replied that such a delay might cause the applicant to have problems with the State's licensing agency.

Commissioner Porter believed that the Commission should make every effort to assure that board and care homes are evenly dispersed throughout the community. However, she was impressed by the fact that the facility under consideration seemed to be run extremely well; and, under the circumstances, she did not feel that its continued operation would result in any infringement on the neighborhood.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Porter that the application be approved subject to the conditions which had been recommended by Mr. Steele and subject to one additional condition specifying that the Commission will review the matter in one year.

Mr. Allan stated that one of the reasons that the subject application had been filed was to satisfy State regulations requiring local approval of the use; and he indicated that he was not sure what the State's reaction would be to the limited approval being proposed.

Commissioner Fleishhacker remarked that any conditional use authorization may be revoked at any time if it is found that the conditions which have been established by the Commission are not being met; and, in that respect, all conditional use authorizations are limited in nature.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7109 and to approve the application subject to the conditions which had been recommended by Mr. Steele and subject to the additional proviso that the matter be reviewed in one year.

CU73.60 - 115 MAIN STREET, NORTHEAST LINE, 137.5 FEET SOUTHEAST OF MISSION STREET
REQUEST FOR AUTHORIZATION FOR A PARKING LOT FOR 38 COMPACT AUTO-
MOBILES: IN A C-3-0 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a rectangular parcel with 45.3 feet of frontage on Main Street and a depth of 137.5 feet for a total area of 6,301.6 square feet. He stated that the applicant proposed to demolish the existing two-story brick building on the site and to create a parking lot for 38 compact cars; and the subject application had been filed because parking lots in a C-3-0 district must be authorized as a conditional use.

President Newman asked if anyone present in the audience wished to speak in opposition to the subject application.

Stewart Bloom, representing the San Francisco Loyal Opposition, remarked that the location of the proposed facility indicated that it would be used by commuters; and he felt that it was odd that the Commission should be considering such a proposal at a time when the trend is to discourage people from commuting in private automobiles and to encourage them to use rapid transit service such as that which is provided by BART.

No one else was present to speak in opposition to the application.

Mr. Steele recommended that the application be approved subject to six conditions which were contained in a draft resolution which he had prepared for consideration by the Commission, one of which would limit the authorization for the parking lot to a period of two years with a possibility for an extension to be granted by the Commission at that time. After summarizing the conditions contained in the draft resolution, he recommended that it be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Allan Thomas, architect for the applicant, replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7110 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU73.59 - 2250 JERROLD AVENUE, NORTH LINE, 464 FEET WEST OF TOLAND AVENUE.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION:
IN AN M-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property, which is an irregularly shaped parcel with 164.5 feet of frontage on Jerrold Avenue, a depth of 381 feet and a rear lot line of 54 feet in length for a total area of 40,197 square feet. He stated that the property is presently used as an open storage yard with a small storage warehouse; and the applicant had requested permission to utilize the open lot for storage of tow vehicles and automobiles and for automobile dismantling.

Jack Tomlinson, attorney for the applicant, stated that his clients would remove only equipment such as motors, radios, upholstery, and tires from vehicles being demolished; and the remainder of the vehicles would be sent to the adjacent scrap metal yard for final processing. He stated that the lot would receive approximately 35 automobiles each day; however, since many of the automobiles would come from other facilities operated by the applicant, delivery of the vehicles to the subject property could be controlled so that there would be no interference with peak-hour traffic.

Ken Carpenter, Executive Director of the Bayview-Hunters Point Model Neighborhood Commission, stated that the members of his Commission were not opposed to the right of automobile dismantlers to earn a living; however, they were opposed to the unsightly messes which such useages have created in their neighborhood. He remarked that the relocation of the automobile wreckers has been an issue for the past seven years; and, as a result, both the members of the Commission and residents of the South Bayshore community were well aware of the problems involved. He stated that most of the applicants for automobile wrecking permits do not live in the South Bayshore area; and he pointed out that automobile wrecking yards which have been approved by the Commission are visible from the new housing which is being constructed on Hunters Point. He stated that the subject neighborhood already has a sufficient number of automobile wrecking yards; and he urged that the subject application be disapproved.

Jeannie Bowie stated that many people work and were thus unable to attend the Commission meeting. Therefore, she had made a door-to-door survey and had ascertained that people in the South Bayshore area are opposed to having any more automobile wrecking yards located in their area. She remarked that major cities such as San Francisco tend to send all of their unattractive industries to Black neighborhoods; and she noted that automobile wrecking yards are never located in areas such as Pacific Heights. She felt that the facility on Egbert Street should satisfy the demand for storage and dismantling of abandoned vehicles; and she urged that the subject application be disapproved.

President Newman pointed out that the subject property is zoned for the highest intensity industrial use and asked Ms. Bowie if she were aware of that fact. She replied in the affirmative.

James Murray, attorney for the Tow Car Association, Incorporated, noted that the applicant had stated on the application that the subject property would be used to store automobiles and trucks ordered towed in violation of State and City laws. However, he advised the Commission that the applicant is only one of several individuals who has bid for that franchise; and he indicated that that contract, which expires on December 31, is presently held by his client. Given the fact that the subject lot is considerably smaller than that which is being used by his client, he doubted that the applicant could adequately satisfy the terms of the contract. In any case, if more than 50 automobiles were to be parked on the site, additional approval would be required from the Environmental Protection Agency. He felt that the subject application should be disapproved.

Mr. Carpenter stated that he had forgotten to mention that the Bayview-Hunters Point Model Neighborhood Agency had allocated \$75,000 to hire 40 youths to clean up industrial areas in their neighborhood in order to make them more attractive for higher quality industrial development; and he felt that the Commission should be aware of that fact in taking action on the subject application.

Commissioner Miller stated that the contract for towing of automobiles and trucks in violation of State and City laws is being handled by the City's Purchaser and will be subject to review by the office of the Chief Administrative Officer, in which he is employed. Under the circumstances, he felt that he could not vote on the subject application; and, therefore, he absented himself from the meeting room.

Mr. Steele stated that the conditional use authorization under which the Tow Car Association is presently operating is subject to review by the City Planning Commission in approximately six months; and, in view of the fact that the property involved is located within an area which is scheduled to become a park, he believed that it was unlikely that the conditional use authorization would be renewed. He remarked that the proposed yard would be located in an area which already has several open industrial uses, including a major scrap yard; but he did not feel that the proposed use would result in saturation of the area with open industrial uses. He was confident that the subject property could be screened with fencing and landscaping which would reduce visibility from nearby industrial uses and from public streets; and, as a result, he believed that the proposed use would have no detrimental effect on surrounding properties. He stated that a need exists for the type of operation proposed; and it seemed to him that the proposed automobile wrecking yard would provide a desirable market for the resale of used automobile parts. Therefore, he recommended that the application be approved subject to eleven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Tomlinson replied in the affirmative.

Commissioner Ritchie indicated that he would abstain from voting on this matter because of a possible conflict of interest.

It was moved by Commissioner Porter and seconded by Commissioner Fleishhacker that the application be approved subject to the conditions which had been recommended by Mr. Steele.

Commissioner Rueda inquired about the location of the nearest residential property. Mr. Steele stated that the closest residential district to the subject property is located on the east slope of Bernal Heights at a distance of more than 1200 feet.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7111 and to approve the application subject to the conditions which had been recommended by Mr. Steele. Commissioner Ritchie abstained from voting.

At this point in the proceedings, Commissioner Miller returned to the meeting room and reassumed his seat at the table.

CU73.61 - 398 QUINT STREET, NORTHWEST LINE, BETWEEN DAVIDSON AND
EVANS AVENUES.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION:
IN AN M-2 DISTRICT.

Commissioner Ritchie stated that he intended to abstain from participation in the discussion and vote on this matter because of a possible conflict of interest.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is an irregularly shaped parcel having 200 feet of frontage on Quint Street, 200 feet of frontage on Evans Avenue, and 350 feet of frontage on Davidson Avenue for a total area of 61,750 square feet. The property, which was formerly occupied by a lumber yard, is presently vacant and is owned by the State of California. The applicant proposed to operate an automobile dismantling yard and uses automobile part sales business on the site.

President Newman asked if anyone was present in the audience to speak in opposition to the subject application.

Mr. Mindling, representing McCormick, Morgan, Incorporated, 1745 Evans Avenue, stated that the property occupied by his firm is located across the street from the subject property. He stated that his firm has spent a considerable amount of money to improve its property; and he could see no justification for approval of the subject application. He remarked that the subject property is owned by

the State, having been acquired for the proposed Southern Crossing; and, if the State currently has no need for the site, he felt that some use could be found which would be better than an automobile wrecking activity.

Ken Carpenter, Executive Director of the Bayview-Hunters Point Model Neighborhood Commission, stated that he wished the record to show that his Commission was opposed to the applicant's proposal.

Mr. Steele remarked that the Bayview-Hunters Point Model Neighborhood Agency had previously gone on record indicating that they would have no objection to automobile wrecking yards being located in the subject neighborhood, as long as they were to be restricted to properties west of Third Street; however, it appeared that that position had been reversed. He recommended that the application be approved subject to eleven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Henry Collier, representing the applicant, replied in the affirmative.

Commissioner Fleishhacker, emphasizing that Condition No. 11 of the draft resolution provided that "failure to comply with any of the above conditions shall be sufficient to void this application after public hearing by the City Planning Commission," moved that the draft resolution be adopted. The motion was seconded by Commissioner Porter.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7112 and to approve the application subject to the conditions which had been recommended by Mr. Steele. Commissioner Ritchie abstained from voting.

After the vote had been taken, Bonnie Hotchkiss, representing the Morgan Equipment Company, asked that the record show that the firm which she represented was opposed to the subject application.

CU73.49 - THE TRIANGLE OF LAND BOUNDED BY MARKET STREET, 12TH STREET
AND SOUTH VAN NESS AVENUE.
REQUEST FOR AUTHORIZATION FOR A PARKING GARAGE FOR 150
AUTOMOBILES: IN A C-3-G DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a total area of approximately 50,791 square feet. He stated that the building which presently occupies the site consists of a vacant ballroom, retail uses along the Market Street frontage, and a parking garage which was used temporarily by BART construction workers. He stated that the applicant proposed to use the renovated existing building for a parking facility for approximately 150 cars.

The ground-floor space along the Market Street frontage would continue to be used for retail commercial space. No plans had been presented for the vacant ballroom.

William Coblentz, representing the Bank of America, displayed a photograph of the existing building. He indicated that his clients did not intend to alter the interior of the structure; however, they did intend to improve the exterior appearance of the building. He confirmed that retail shops would be retained on the ground floor along the Market Street frontage and a portion of the South Van Ness Avenue frontage of the site; and he indicated that the vacant ballroom would not be used. The principal purpose of the conditional use application was to obtain permission to use the existing 150 parking spaces for no longer than five years. He advised the Commission that the Bank of America computer center is located across the street from the subject site; and he indicated that that facility employs 3,497 people on three shifts. Many of the employees presently park in the parking lot at Ninth and Market Streets or in the garage at the Fox Plaza Building. However, the lot at Ninth and Market Streets is to be closed to make way for construction of a new building; and there is an increasing demand from tenants of the Fox Plaza Building for parking spaces in that garage. Therefore, the 150 parking spaces in the garage on the subject property would be used to replace the employee parking which is being lost on the other two sites. When BART begins all-night service and has improved its operation, the Bank of America will encourage its employees to use that means of transportation. In the meantime, however, permission to use the garage in the subject building would serve both the convenience and the safety of the employees of the computer center.

Commissioner Porter asked what steps the applicant intended to take to improve the exterior appearance of the building. Mr. Coblentz replied that some of the large signs on the facade of the building would be removed; and the building will be painted. In addition, an effort will be made to get good tenants for the ground floor retail shops. However, since the Bank of America intends to use the building only on a temporary basis, no major alterations will be made.

William J. Quick, representing the H. Windsor Corporation, which has offices on 12th Street, asked if the operator of the subject garage would continue to permit automobiles to be parked on sidewalks in the area. Mr. Coblentz replied that the Bank of America would have supervisors and guards on duty in the garages; and he assumed that they would discourage any illegal parking on the subject site.

Stewart Bloom, representing the San Francisco Loyal Opposition, remarked that the status of the fuel shortage changes almost daily; and, as a result, he felt that it would be wiser for the Commission to approve the subject application for only one year instead of the five years requested by the applicant. He also remarked that Mr. Coblentz had stated that the Bank of America would encourage its employees to use BART when that system begins 24-hour service. That being the case, and in view of the fact that both BART and the Municipal Railway presently provide service during daytime hours, he suggested that the Commission should forbid daytime use of the garage, limiting its occupancy to nighttime hours. In conclusion, he emphasized that the subject property is located close to 24 lines of the

Municipal Railway, within walking distance of BART and Greyhound Stations, and with reasonable access available to buses traveling across the Golden Gate Bridge and to the East Bay.

Mr. Steele recommended that the application be disapproved. He stated that the Transportation Element of the Master Plan indicates South Van Ness Avenue, Market and Mission Streets as Transit Preferential Streets; and as a result, those streets would not be appropriate for access to an automobile parking facility. He also noted that Mission Street and South Van Ness Avenue are indicated as principal transit streets in the Muni Transit Movement Program. From the point of view of transit service, the subject property is one of the most ideal locations in the City, being adjacent to the Van Ness Avenue Station of the Muni Metro System and being near the No. 47 Potrero Bus Line and the Mission Street Bus and the jitney lines. In conclusion, he stated that the applicants had not demonstrated any public need for a 150 car parking garage in the immediate vicinity of the subject site or in the Civic Center area.

Commissioner Ritchie remarked that the recommendations of the staff of the Department of City Planning are usually reasonable; however, he did not feel that the recommendation which had been offered in the present instance was appropriate. He pointed out that the 150-stall parking garage already exists. It was obvious that the Bank of America has need for the space; and if it were given authorization to use the facility, it would improve the appearance of the building, which is quite shabby at the present time. He also felt that it would be unrealistic to limit use of the garage to nighttime hours only because of the value of the property and because of the parking need generated by the Bank of America's Computer Center across the street. Therefore, he moved that the applicant's proposal be approved in principle and that the staff be instructed to prepare a draft resolution of approval with conditions specifying that the garage would be for the exclusive use of Bank of America's employees, that large signs would be removed from the exterior of the building, that the building would be painted, and that the Commission's authorization would be for a five-year period only. He requested that the draft resolution be presented for consideration by the Commission at its meeting next Thursday, December 13, 1973.

The motion was seconded by Commissioner Porter who emphasized that the garage in the subject building would merely replace other parking facilities in the area which are presently being used by Bank of America's employees.

When the question was called, the Commission voted unanimously to indicate its approval of the application in principle and to instruct the staff to prepare a draft resolution of approval with specific conditions to be brought before the Commission for consideration during its meeting on December 13, 1973.

EE73.124 - CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT FOR ST. MARY'S MEDICAL OFFICES AND HOSPITAL MASTER PLAN WITH ASSOCIATED MEDICAL OFFICES OF APPROXIMATELY 116,000 SQUARE FEET, ADDITIONAL COMMERCIAL AND CLINIC SPACE, AND PARKING FOR APPROXIMATELY 610 AUTOMOBILES IN THE AREA BOUNDED GENERALLY BY FULTON, SHRADER, FELL AND STANYAN STREETS.

Following a summary of the report by Robert Passmore, Planner V (Zoning), the Commission received comments from the following members of the audience: Thomas F. Stack, Attorney for St. Mary's Hospital; Sherwood Stockwell, Architect for St. Mary's Hospital; Calvin Welch, representing the Haight Ashbury Neighborhood Council; Douglas J. Engmann, 408 Stanyan Street; Bernard Oppenheim, 2149 - 51 Grove Street and Oscar Moe, 43 Parsons Street.

At 4:20 p.m., President Newman announced a five-minute recess. The Commission reconvened at 4:25 p.m.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), recommended that the Environmental Impact Report be certified as adequate, accurate, and objective and in compliance with the provision of the California Environmental Quality Act, the Guidelines of the Secretary for Resources, and the San Francisco Environmental Quality Ordinance. He also recommended that the Commission find that the proposed project will have a significant effect on the environment because:

- "1. The proposed project would generate a significant amount of automobile traffic resulting in increased noise, air pollution and potential traffic congestion, including conflicts with public transit, and;
- "2. The proposed project would alter the residential appearance of the immediately adjacent neighborhood and would require relocation of a number of persons presently occupying family-type, relatively low-rent apartments at a time when this type of housing is in short supply."

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7113 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the final environmental impact report, dated December 6, 1973 concerning EE73.124, St. Mary's Medical Office Building, vicinity of Fell, Stanyan, Fulton and Shrader Streets, is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Commission takes said final environmental impact report into consideration before acting on the project itself under CU73.45, and does hereby signify such consideration by ADOPTING said Report."

A standard tape cassette recording of the preceding is available in the offices of the Department of City Planning for public listening or transcription.

ZM73.31 - 202, 204-208, 210, 214, 218, 222, 226, 230, 234, 236-238, 240
AND 244 ROOSEVELT WAY, NORTH LINE.

R-4 TO AN R-2 DISTRICT.

(POSTPONED FROM HEARING OF NOVEMBER 1, 1973)

During the course of the preceding hearing on the Environmental Impact Report for St. Mary's Hospital, President Newman interrupted to state that St. Joseph's Hospital had requested that the hearing on application on ZM73.31 be postponed until February 7, 1974; and he had been advised that the Buena Vista Neighborhood Association had concurred in the request for postponement. He asked if anyone in the audience wished to speak in opposition to the request for postponement.

Wesley Dawe, President of the Buena Vista Neighborhood Association, stated that he had no objection to the postponement; however, he wished to emphasize that the postponement had been requested by St. Joseph's Hospital and not by his organization.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), recommended that the hearing be postponed until the Commission's meeting on February 7, 1974.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter and carried unanimously that the hearing be postponed until the meeting of February 7, 1974.

CU73.45 - AREA BOUNDED GENERALLY BY FULTON, SHRADER, FELL AND STANYAN STREETS.
REQUEST FOR AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT FOR ST. MARY'S MEDICAL OFFICES AND HOSPITAL MASTER PLAN; IN AN R-4 DISTRICT.

Robert Passmore, Planner V (Zoning), referred to land use and zoning maps to describe the subject property and summarized the applicant proposal as follows:

"To construct approximately 116,000 square feet of medical office space and approximately 12,000 square feet of medical clinic space in buildings arranged along the south side of Fulton Street between Stanyan and Shrader Streets. These buildings would be stepped in height to a maximum height of 80 feet. Approximately 430 below grade parking spaces would be provided under the offices with access via the one-way common driveway between Stanyan and Shrader Streets that would serve both the office buildings and the new nursing wing. An additional approximately 180 parking spaces are proposed in a five level garage placed at the corner of Hayes and Shrader Streets upon razing of the existing west wing of the hospital. The medical offices are contemplated to be built in phases, with the first phase occurring at the corner of Fulton and Shrader Streets and the second phase occurring to the east of the first phase. The first phase would occupy land which is essentially vacant at this time; the second phase would require the demolition of 48 dwelling units. The project would meet the floor area ratio provisions of the City Planning Code applicable to the subject site.

"Authorization of the subject planned unit development would require modification of the conditions of City Planning Commission Resolution No. 6401, which authorized the nursing wing now under construction, to allow expansion of the boundaries of the medical center to include all property on the south side of Fulton between Stanyan and Shrader Streets, where Resolution No. 6401 had included only the eastern 141 feet of Fulton Street frontage within the medical center site. This corner was at that time proposed for use as an interns residence building.

"A more detailed description of the project is included in the Environmental Impact Report prepared by the Department of City Planning and available for public review since November 6, 1973."

Mr. Passmore noted that the Haight Ashbury Improvement Plan, endorsed by the Commission earlier in the year, has specified that hospitals and universities in the area should not expand beyond their present land holdings or beyond specific additions called for in approved Master Plans; however, the expansion project presently being considered had been discussed with the staff of the Department of City Planning prior to that time. Nevertheless, he felt that the individuals representing St. Mary's Hospital should give the Commission a ten- to twenty-year picture of the estimated growth of the medical complex and an analysis of how that growth might affect the adjacent neighborhood as well as the health services of San Francisco. He remarked that consideration of a Master Plan should ordinarily precede consideration of a conditional use application; in the present case, however, it seemed appropriate to consider both matters together, although the vote on the Master Plan should precede the vote on the conditional use application. In conclusion, Mr. Passmore stated that the proposed parking facility would also have to be approved

by the Environmental Protection Agency. Nevertheless, the Commission could proceed with its consideration of the proposal provided that any action taken is made conditional upon approval by the Environmental Protection Agency.

Thomas F. Stack, Attorney for St. Mary's Hospital, stated that St. Mary's Hospital has been in existence in San Francisco since 1911; and, upon conclusion of the proposed construction project, it will be one of the largest health care facilities in the world. He noted that the Commission had given conditional use approval for the new hospital building in 1969; and he indicated that the hospital had made a number of changes in its plans at that time to accommodate the desires of the Department of City Planning and the City Planning Commission. He stated that the 550 bed hospital is almost completed; and he advised the Commission that construction of the proposed office building and garage would be the final step in the hospital's expansion program.

Sister Mary Joanne, President of St. Mary's Hospital and Medical Center, stated that it had been distressing for her to hear negative comments made about the hospital's expansion program during the public hearing on the Environmental Impact Report; and she observed that some members of the community were apparently under the impression that St. Mary's Hospital has no concern for them. She advised the Commission that the Sisters of Mercy, who operate St. Mary's Hospital, have been active in San Francisco since the 1850's and have been involved in many community services. In fact, the hospital operates a clinic for residents of the Haight Ashbury District; and, during the past five years, the clinic has served 18,923 people. She stated that the Sisters of Mercy were also concerned about the housing needs of the community; and, as was mentioned during the public hearing on the Environmental Impact Report, they have taken steps to assure that low-cost housing will be provided on property at Broadway and Van Ness Avenue which was formerly occupied by Notre Dame Hospital. In conclusion, she stated that the medical office building which was being proposed would bring the hospital one step closer to being able to provide the citizens of San Francisco with the best possible health care.

Christian J. Matthew, Director of Planning and Development for St. Mary's Hospital, submitted and summarized documents showing the development of the hospital's Master Plan from the mid-1960's to the present time, emphasizing that the hospital has no plans to expand across Shrader Street to the east.

Dr. Frank Solomon, former Chief of Staff of St. Mary's Hospital and an associate of the hospital since 1939, stated that doctors can provide better service for their patients when their offices are located in office buildings constructed contiguous to hospitals; and he indicated that he had occupied space in an office building in the vicinity of St. Mary's Hospital since 1959. He stated that the Master Plan for expansion of St. Mary's Hospital had always included a proposal for a medical office building. Furthermore, he remarked that a great deal of precedent has been established for locating medical office buildings in close proximity to hospitals since the practice started in 1929; and he advised the

Commission that at least five precedents exist in San Francisco, namely at the University of California Medical Center, Children's Hospital, Kaiser Hospital, Presbyterian Medical Center, and the Ralph K. Davies Medical Center. In addition to saving time for both patients and doctors, medical office buildings located close to hospital facilities facilitate use of diagnostic equipment, allow improved consultant activity, enable doctors to take care of patients, enable better use of educational facilities and programs, allow for better participation in staff functions, and make it possible for the doctors to be more involved in community affairs, such as the community clinic at St. Mary's Hospital. In addition, further benefits such as a central filing system, waiting space, dictation pools, library services, and computer laboratory might also be possible.

Commissioner Fleishhacker asked about the location of the office which Dr. Holman occupies at present. Dr. Holman replied that the office is located at 2156 Hayes Street, one block to the east of the hospital. In reply to further questions raised by Commissioner Fleishhacker, he stated that approximately 30 doctors presently maintain offices in four or five buildings in the vicinity of St. Mary's Hospital; and he estimated that between 80 and 120 doctors would be housed in the new medical office building being proposed by the hospital. Because of lack of office space in the area at the present time, many physicians associated with St. Mary's Hospital have been forced to go to other areas.

Commissioner Fleishhacker then asked if all of Dr. Holman's patients receive treatment at St. Mary's Hospital. Dr. Holman replied in the negative but indicated that that is the general trend. In reply to final questions raised by Commissioner Fleishhacker, he stated that 120 doctors deal primarily, but not exclusively, with St. Mary's Hospital.

Sherwood Stockwell, Architect for St. Mary's Hospital, submitted and summarized a Master Plan which he had prepared for a medical office building and garage space on the south side of Fulton Street between Stanyan and Shrader Streets. To clarify a question which had arisen during the public hearing on the Environmental Impact Report, he stated that the hospital did not intend to provide any additional parking in the block bounded by Fell, Stanyan, Hayes, and Shrader Streets. Although one of the earlier Master Plans had shown additional parking in that block, he believed that the map had been drawn that way in response to an inquiry from the Department of City Planning as to where future expansion of the hospital might be directed if it were to take place.

Commissioner Fleishhacker, noting that the map on page five of the Environmental Impact Report indicated that the long-range expansion plans of St. Mary's Hospital would involve the block bounded by Stanyan, Hayes, Shrader, and Fell Streets, and asked who had prepared that map. Mr. Stockwell replied that the map had been prepared in his office at the request of the staff of the Department of City Planning who were responsible for preparation of the Environmental Impact Report.

Mr. Passmore explained that the staff had asked the hospital's consultants to consider the possibility of further expansion of the hospital complex after the medical office building is completed and to suggest in which direction that expansion should take place. The response had been that the expansion should be in the block south of Hayes Street; and that possibility was reflected in the map on page five of the Environmental Impact Report.

Commissioner Fleishhacker then stated that he had understood Mr. Stack to say that the medical office building would be the last building to be constructed by St. Mary's Hospital. Mr. Stack replied that he had intended to state that the medical office building would probably be the last building to be constructed during his lifetime. He acknowledged that medical buildings are becoming obsolete sooner than one would have anticipated; however, he assured the Commission that St. Mary's Hospital presently has no plans for development of the block bounded by Stanyan, Hayes, Shrader, and Fell Streets.

Commissioner Porter asked if St. Mary's Hospital owns property in the block bounded by Stanyan, Hayes, Shrader, and Fell Street. Mr. Passmore replied that the hospital owns some property in the block but indicated that the hospital does not occupy all of the property which it owns. He then noted that page nine of the Environmental Impact Report had contained the following statement pertaining to the block bounded by Stanyan, Hayes, Shrader, and Fell Streets:

"The remaining block, #1213, is not under consideration for acquisition or future construction. Asked where expansion might come beyond that presently envisioned, the Hospital designated Block 1213 as being the most logical area. There are no indications of need to acquire further parcels in the block, but the area is designated in the Medical Center Master Plan for long range expansion to cover the eventuality of a radical change in the present West-Side Consortium on Mental Health Care, a community related project assisted by St. Mary's Hospital."

Mr. Stack stated that practically every single parcel in that block had been offered to the hospital. The hospital had purchased two of the lots and had turned down the rest of the offers.

Mr. Stockwell stated that St. Mary's Hospital is geographically located on the fringes of the Haight Ashbury District and has little effect on that area. The Hospital is not located in a completely residential area; and, in fact, the housing which would have to be removed for the proposed medical office building has been located in a "pocket." He stated that the properties have been zoned for high density development since 1960; and he pointed out that the hospital has been in existence since 1911. The area, including the university to the north, is subject to an 80-foot height limit. Under the circumstances, it appeared that the City had always felt that the area was suitable for development with structures considerably larger than the three-story residential buildings which exist at the present time. He noted that most hospitals in the City are located in residential areas;

and he emphasized that almost all hospital expansion projects proposed have been treated as special cases. He stated that he hoped that the plans which his firm had developed for the medical office building would bring amenities to the neighborhood to compensate for the loss of the housing units; and, with the use of photographic slides, he described the present characteristics of the area and the special features of the project which was being proposed. He also described two possible alternatives to the Master Plan which was being recommended, analyzing the effect which each alternative would have on the area in terms of visual amenity and in terms of traffic flow. A third alternative would be to take no action whatsoever; however, the result of that approach would be to condemn the hospital, limiting its ability to survive in a competitive world. In that case, the subject property might be developed with high density residential buildings; and, if so, the number of automobile trips which would be generated each day would probably be far in excess of the number of trips which would be generated by the proposed medical office building.

Commissioner Fleishhacker remarked that the Master Plan shown on Page 10 of the Environmental Impact Report called for construction of a parking garage in two phases on property on the east side of Stanyan Street north of Hayes Street; and he wondered if any thought had been given to locating the proposed medical office building on that site or elsewhere in the block south of the new nursing tower.

Mr. Stockwell replied that the number of offices which could be constructed in that area would fulfill only 60 or 75 percent of the estimated need; and, in any case, the hospital wished to preserve its options in that block.

Anna Guth, President of the Haight Ashbury Improvement Association, stated that her organization supported northward expansion of the hospital complex as opposed to southward expansion. She remarked that many people in the neighborhood had supported the hospital's expansion plan in the past; however, since the recent "down-zoning" of properties in the area, they seemed to have reversed their position. She noted that there is a great deal of housing in the Haight-Ashbury District which is not used for residential purposes; and, as a case in point, she noted that the Commission had given permission to the Sickle Cell Anemia Disease Research Foundation to occupy space in an apartment building earlier in the afternoon. In conclusion, she emphasized that the clinic at St. Mary's Hospital does provide a service for the neighborhood.

Calvin Welch, representing the Haight-Ashbury Neighborhood Council, submitted the following summary of a letter which had been sent to the members of the Commission under date of November 14, 1973.

- "1) The project will displace nearly 150 Haight residents and destroy 48 units, four buildings of which are owned by long-time residents.
- "2) Traffic congestion and parking problems long known to the Department would be greatly exacerbated.

- "3) St. Mary's does not, in fact, need medical office buildings to better perform its health care tasks. Moreover, if this project is approved, it is clear that it will lead to, as St. Mary's reported to the federal government: 'Long term care facilities, convalescent homes, homes for the aged, protected environment living accommodations, a motel for visitors, conference and meeting room facilities and the like' all in a residential neighborhood already over institutionalized.
- "4) Approval of the project will totally ~~dismiss~~ the two year long planning process that culminated in the HAIGHT-ASHBURY FINAL REPORT.
- "5) It is the Council's understanding that St. Mary's has not purchased nor requested from the state eminent domain powers over the entire area they are seeking to develop. This raises serious legal questions, as we understand the matter, for approval of such a flawed conditional use application, which would be of questionable legality.

"We urge the rejection of the master plan amendment and the conditional use application."

He also submitted two appendices to the Haight-Ashbury Neighborhood Council's position on St. Mary's expansion, one of which contained quotations from background studies of the Haight-Ashbury District between 1971 and 1973 while the other referred to goals, policies, and objectives of the Haight-Ashbury Final Report which would be violated by construction of the proposed medical office building. Those goals, policies and objectives were as follows:

"Goal 2: Maintain and improve the quality of the environment. (p.2)

"Housing: Policy: Improve housing conditions in the Haight-Ashbury (p.3)
Policy: Increase ownership and improve management. (p.5)

Recommendation 1: Encourage resident ownership of buildings. (p.5)

"New Development:

Policy: Preserve the existing scale and character of the Haight-Ashbury. (p.5)

"Hospitals and Universities: (p.6)

Recommendation 1: Future development should be strongly influenced by environmental considerations.

Recommendation 3: As a general rule, there should be no facility expansion beyond the present land holdings. All development should conform to the master plans to be submitted by the institutions and approved after public hearings by the City Planning Commission.

Recommendation 4: The institutions should participate more fully in the resolution of problems created by past or future growth.

"Transportation: (p.10)

Institutions Policy:

Reduce congestion around the hospitals and universities. (p.10)

Parking:

Policy: Provide adequate parking for residents near their homes. (p.11)"

Mr. Welch remarked that representatives of the hospital, during the public hearing on the Environmental Impact Report, had placed emphasis on the fact that a feasibility letter had been sent to HUD concerning a proposal for development of 250 dwelling units on property located at Broadway and Van Ness Avenue; and he stated that it was his opinion that construction of housing on property located five miles away from the subject site would do nothing to improve the housing situation in the Haight-Ashbury neighborhood. He felt that the real question before the Commission was whether St. Mary's Hospital should be allowed to "stake a claim" to three City blocks and to do whatever they wish to do with that property. However, if the Master Plan for the Haight-Ashbury District has any meaning at all, he did not understand how that permission could be granted. He also objected to the fact that both the Master Plan for future development of the hospital and the conditional use application for construction of the office building were being considered at the same time; and he indicated that he believed that the Commission would have had greater control over the situation if the Master Plan has been considered separately. He emphasized that the desire of the residents of the Haight-Ashbury District, as evidenced by recent history, is to preserve the small-scale residential character of the area and to prevent it from becoming an institutionalized neighborhood. He noted that residents of the area had urged that the block bounded by Stanyan, Hayes, Shrader, and Fell Streets, with the exception of the property already owned by St. Mary's Hospital, be made subject to a 40-foot height limit; but the staff of the Department of City Planning had recommended higher height limits for that block in case the hospital should wish to expand in that direction in the future. While the Haight-Ashbury Plan provides that Master Plans should be submitted to the Commission by major institutions in the area, it seemed to him

that what had been presented to the Commission by St. Mary's Hospital was, in fact, a description of a specific project and not a Master Plan for future growth. While the hospital was contending that it had no plans for expansion beyond construction of the proposed office building, the hospital had previously stated, in an application for Hill-Burton Funds, that the Medical Center would eventually generate a need for "long-term care facilities, convalescent homes, homes for the aged, protected environment living accommodations, a motel for visitors and ambulatory patients, conference and meeting room facilities, and the like." It was his opinion that the type of development described in that application would not be appropriate in a residential neighborhood; and, therefore, he urged that both the Master Plan and the Conditional Use Application be rejected.

Commissioner Ritchie remarked that the blocks in question, though recently adopted by the Haight-Ashbury Neighborhood, used to be known as "Ignatian Heights." The hospital was presently requesting permission to expand to the north; however, if that permission should be refused, he wondered if Mr. Welch would approve of future expansion of the hospital to the south.

Mr. Welch replied that he felt that the hospital should abide by the policy stated in the Haight-Ashbury Plan to the effect that future expansion of major facilities should be limited to their present land holdings; and he noted that St. Mary's Hospital does not own all of the property on which it is proposing to construct the medical office building. He advised the Commission that the University of California Medical Center had finally stipulated the ultimate limits of its future expansion; and he felt that Harkness and St. Mary's Hospitals should be required to do the same.

Douglas Engmann, 408 Stanyan Street, stated that the building which he owned would be acquired by the hospital and demolished if the office building were to be constructed. He stated that he had invited people living in the area to join a group to be called "Residents Against Destruction of Homes," and the 55 residents of the neighborhood who had attended a meeting last Sunday night had voted unanimously to oppose the hospital's plans for construction of the office building. In addition, a petition had been circulated within a three or four square block radius of the subject property; and 304 owners and tenants in the area had signed that petition, which read as follows:

"We, the undersigned resident property owners and tenants, oppose the destruction of family housing proposed by St. Mary's Hospital in order for it to build a medical office building and parking lot. Such a plan would drastically alter the character and scale of our neighborhood, displace scores of families, demolish critically needed low- and middle-price housing, while only providing 'convenience' to some doctors and a profit-making scheme for the hospital."

In reply to a question raised by Commissioner Ritchie, Mr. Engmann stated that he had owned his property on Stanyan Street for seven years; and he indicated that he considered his property to be located in an overlapping area consisting of parts of the Upper Haight-Ashbury District, the Inner-Richmond District, and the Western Addition. Continuing his presentation, he stated that properties in the area are zoned R-3 and R-4; and problems which the neighborhood faces are those of traffic, parking, and institutional encroachment. He emphasized that the Improvement Plan for Residence, as well as the Haight-Ashbury Plan, calls for the retention of existing housing in residential neighborhoods. When those policies were under consideration by the Commission, St. Mary's Hospital had raised no objection; and residents of the area had not been aware that the hospital did object to the policies. Yet, only four months after adoption of the Haight-Ashbury Plan, residents of the subject neighborhood had learned that St. Mary's Hospital wished to demolish existing residential buildings to make way for construction of a medical office building and a parking garage. As indicated in the Environmental Impact Report, the proposed facilities would generate a 26 percent increase in the amount of traffic on Hayes and Shrader Streets; and, as a result, the carbon monoxide level in the area would be raised by 25 percent. He did not feel that the proposed development meets the standards specified in the Haight-Ashbury Plan; and he advised the Commission that St. Mary's Hospital owns less than one-half of the site designated for the new building.

- Commissioner Ritchie pointed out that St. Mary's Hospital does own more than one-half of the block in which the proposed facilities are to be located.

Mr. Engmann then submitted and summarized six exhibits labeled "A" through "F" which consisted of statements and maps reflecting changes in the hospital's thinking about its Master Plan between 1967 and the present time, one of which stated the hospital's intention to construct a medical office building at the southeast corner of Hayes and Stanyan Streets. He remarked that the hospital had claimed that the medical office would be important for the future functioning of its clinics; yet, the Environmental Impact Report contained statements to the effect that clinic and outpatient visits had declined. The hospital had also claimed that the economies brought about by the medical office building would be passed on to patients. He doubted that that would be the case; but he could not make a factual statement to that effect because he had no data relative to the fees charged by doctors housed in offices near hospitals as opposed to the fees charged by doctors in offices downtown. He remarked that the Environmental Impact Report had indicated that the proposed facility would have an adverse effect on traffic; and he believed that the hospital had demonstrated no public need for the proposed facility. He emphasized that buildings located south of the new nursing tower will be demolished when the tower is completed; and he felt that it would be preferable for the medical office building to be located in that area, as proposed in the hospital's 1967 application for Hill-Burton funds. The hospital now claimed that it wished to leave that property vacant for the time being to preserve its options for future development to the south of the new nursing tower; and, as a result, the hospital was looking to acquisition and demolition of buildings to the north of the nursing tower to provide a site for the proposed medical office building and garage complex.

Commissioner Porter asked Mr. Engmann if he was requesting that he be allowed to participate in the design of the medical complex. Mr. Engmann replied in the negative, indicating that the point which he was trying to make was that the hospital had offered no reasonable argument to explain its reluctance to construct the medical office building south of the nursing tower rather than north of that facility. He urged that the Master Plan and the conditional use application be disapproved.

N. Arden Danekas, President of the Planning Association for the Richmond, summarized the following letter which had previously been submitted to the Commission:

"The Planning Association for the Richmond (PAR) is opposed to expansion of St. Mary's Hospital for a garage and medical offices at Stanyan and Fulton Streets, southeasterly edge of the Richmond District.

"As you know, PAR adopted its Richmond District Improvement Plan at well publicized open meetings. It is from these policies as listed below that we draw our conclusions that this project should not be allowed as regards the parking structure and doctors offices.

"These policies are:

Community Services Plan

Maintain family orientation of district.

Provide housing stock for varied socio-economic groups.

Residential Plan

Preserve, maintain and improve existing supply of family housing stock.

Improve the quality of life within the neighborhoods.

Protect the quality of life in the neighborhoods by controlling development.

Transportation Section

Reduce auto traffic and associated nuisances on residential streets.

Reduce non-resident parking in the district.

"We believe that these policies speak as eloquently to the need of preserving housing and retaining the residential character of a neighborhood as does your Plan for Residence and the specific recommendations of your recent report on the Haight-Ashbury.

"The Richmond as well as the Haight-Ashbury is working very hard to make and keep these two districts liveable. For example, one of the factors affecting traffic. The EIR suggested, somewhat on an intellectual level, the impact of its proposal. However, those of us who have to live with, cope with and be left with the entire problem tend to look at this traffic in a somewhat less innocuous manner. We cannot imagine under any circumstances the institution of one way traffic patterns, no stopping any-time and etc, in an almost exclusively residential neighborhood. It is hard to imagine the types of mind that would propose such a solution for the crass economic benefit of the highly paid at the expense of the moderate income residents of the neighborhood.

"We must think in terms of those who have to cope with these problems on a day to day basis of living, working, and voting in the affected areas, and give minimal consideration to those who do not live here or vote here or who never take any active part in neighborhood affairs.

"We would use these same reasonings on the problems as related to the demolition of housing, scale of development, bulk of the buildings, massive development in a residential neighborhood, loss of open space, disruption due to construction, suitability of business to area, noise - of autos and emissions of same, and the problems that accompany development - added pressure for more and bigger buildings."

A resident of the building located at 2253 Fulton Street stated that her family had lived in the building for 25 years. She indicated that her father is elderly; and, in view of the fact that the property is located close to a shopping area, a church, and good bus service, she felt that it would be unfortunate if her father were to be up-rooted.

Her father, who was also present in the audience, stated that the hospital had enjoyed more opportunity than he had; and he did not feel that he should be forced to move merely to accommodate the expansion plans of the hospital. He stated that people who live out-of-town park on Stanyan Street and take buses to their jobs downtown; and, if St. Mary's Hospital were to have its way, people would be forced out of their homes to make way for a parking lot. In view of the fact that the City is trying to discourage use of private automobiles, he felt that approval of the proposed hospital project would be a step in the wrong direction.

Paul Muller, presently a resident of Ashbury Street, stated that he used to live on Shrader Street in the vicinity of St. Mary's Hospital. He called attention to the fact that the City had received a letter from the President of the San Francisco Comprehensive Health Planning Council offering to give his reaction to proposals to construct office and parking facilities related to hospitals in the city; and he felt that the offer should be accepted. He felt that construction of medical office buildings in proximity to hospitals may not necessarily be a good idea; and, in fact, it may be a move in the wrong direction. He, also, was of the opinion that the average patient does not need technical equipment which is available only in a hospital. He advised the Commission that San Francisco has too many hospital beds at the present time; and, as a result, St. Mary's is building a hospital which San Francisco does not need.

Commissioner Porter observed that the same thing might be said of other hospitals in the City which have recently constructed new facilities. In any case, the new hospital at St. Mary's is already a fait accompli; and the issue presently under consideration was whether authorization should be granted for construction of a medical office building.

Mr. Muller remarked that the hospital might be basing its request on a medical need which might not in fact exist; and he felt that the ramifications of that possibility should be studied.

Michael O'Neill, owner of a five-unit apartment building located at 2277 Fulton Street, remarked that St. Mary's Hospital already owns 75 percent of the block under consideration; and, as a result, he could not understand why the hospital needed to acquire the few remaining privately-owned residential properties in the block.

Commissioner Ritchie asked Mr. O'Neill if he were opposed to expansion of the medical center. Mr. O'Neill replied in the negative but indicated that he was opposed to acquisition of privately-owned residential properties at the present time. He stated that the hospital had already demolished one of the nicest apartment buildings he had ever seen.

Commissioner Ritchie observed that Mr. O'Neill had been responsible for the demolition of a number of older houses in the Richmond District. Mr. O'Neill acknowledged that fact but emphasized that he had always replaced those houses with new dwelling units.

Commissioner Porter asked if the Fulton Street property occupied by Mr. O'Neill's new apartment building was vacant when he had acquired it. Mr. O'Neill replied in the negative, indicating that the property had been occupied by an old shack. He remarked that when he has an opportunity to construct 40 dwelling units, his preference is to construct only 20 initially in order to see how they do on the market; and he felt that St. Mary's Hospital should approach the development of its new medical office building complex on the same incremental basis. He also observed that traffic is a serious problem in the subject neighborhood at the present time; and believed that the situation might be badly aggravated by the proposed facility.

Commissioner Ritchie asked if he were correct in his understanding that Mr. O'Neill was not opposed to expansion of the medical center and that he was not opposed to ultimate acquisition of his property by the hospital. Mr. O'Neill replied in the affirmative.

A tenant in an apartment building which is already owned by St. Mary's Hospital stated that she enjoys living in the subject neighborhood because of the proximity of Golden Gate Park and other amenities. During the Environmental Impact Report hearing, the hospital had talked of the possibility of providing alternate housing at Broadway and Van Ness Avenue. However, she stated that she would have no desire

to live in that neighborhood; and she felt that the other people who would be displaced from their present dwellings in the subject block would feel the same way. She emphasized that what was being considered was not a proposal for expansion of the hospital but a proposal for construction of a new office building for the convenience of doctors; and she remarked that very little mention had been made of patients during the course of the discussion. If the proposed medical office building were to be constructed, many patients who presently are able to visit their doctors in their own neighborhoods would have to travel half-way across town to visit their doctors in the future.

Michael Murphy, 1344 - 5th Avenue, stated that he lives in the shadow of the University of California Medical Center; and he remarked that it seemed to him that St. Mary's Medical Center is attempting to follow in the footsteps of his neighbor. He stated that St. Mary's had not considered the interests of the neighborhood in putting forth its expansion program; and he felt that there is no need for the proposed facility in the subject neighborhood. In fact, the neighborhood already has a number of medical institutions which have more and better facilities than St. Mary's. Furthermore, five emergency hospitals are available within a five-block radius of the subject site; and when the patients go to those emergency hospitals, they are given medical attention and are not required to fill out as many forms as they must fill out if they visit the clinic at St. Mary's. He noted that the U. S. Government has taken the position that it will close all hospitals which are not safe for patients; and it was obvious to him that St. Mary's was not improving its facility for the betterment of the surrounding neighborhood but merely to keep from being closed down. In short, the expansion program had arisen solely from the financial self-interest of the people who run the medical complex.

Commissioner Fleishhacker asked Mr. Murphy if he was accusing the Sisters of Mercy of being mercenary. Mr. Murphy replied that he attributed the blame to the administrators and doctors of the medical center. He felt that there is no need for the proposed expansion; and he was opposed to granting of the conditional use authorization.

Stella MacPherson stated that she will inherit property at 2261 - 2266 Fulton Street which was owned by her father. She stated that the property had been purchased by her grandfather in 1933; and the family had paid taxes on the property since that time. She stated that she had counted on that property as security; and she felt it would be extremely unfair if the hospital were to move in and take it away from her.

Anna Thomson submitted and summarized the following letter.

"I am a member of ISAC (the Inner Sunset Action Committee) and serve on its Housing & Zoning Committee. I live close to the University of California Medical Center and have seen friends forced to move, good family residences destroyed and replaced by huge concrete structures with all the accompanying problems of density, traffic congestion, and parking. Since I know from actual experience all the adverse effects of

huge institutions, and their constant threat of even further expansion, I ask you to consider carefully the adverse effects pointed out in the Environmental Impact Report of the neighborhood, and strongly urge you to deny the request for a variance in the existing residential zoning of the properties in Block 1191."

Sandra Peters, a resident of the north side of Fulton Street, advised the Commission that there is a grammar school located only one and a half blocks from the subject property which will reopen in 1976; and, out of fairness to the children who will be attending that school, she did not feel that a project should be approved which would attract a greater amount of traffic to the area and which would create more noise and other types of pollution, both during and after construction. In conclusion, she stated that it seemed to her that the proposed building would be unnecessary.

John Bardis, a resident of the Inner-Sunset District, stated that the University of California Medical Center is proposing new facilities costing 35 million dollars over which the City Planning Commission will have no control; and he objected to the fact that the neighborhood was now being asked to absorb the proposed expansion of another medical facility. He stated that San Francisco, in 1972, had a surplus of 2500 hospital beds every day, or five times the capacity of the new St. Mary's Hospital; and, since public funds obtained through a Hill-Burton grant had been used to construct the new hospital at St. Mary's, the public had actually been forced to add to the average patient cost to cover the costs incurred by hospitals which are maintaining surplus beds. He resented that fact; and, since he did not believe that the proposed medical office building would in any way improve the health care available to the community, he felt that the subject application should be disapproved.

Commissioner Ritchie observed that the medical complexes in San Francisco served all of northern California and not just the citizens of San Francisco. Mr. Bardis replied that the hospitals in the San Francisco area have had a great number of surplus beds in any case.

William Ross, an officer of the Alexander Maisin Development Company, stated that it was his firm which had submitted an application to the Federal Government for funds for rehabilitation for Notre Dame Hospital at Broadway and Van Ness for low-income housing.

Commissioner Ritchie stated that any project which might be proposed for property at Broadway and Van Ness Avenue seemed to him to have no relevance at all to the neighborhood presently under consideration.

Commissioner Porter stated that the Commission understood that there was a possibility that 200 or more dwelling units would be constructed in another part of the city to compensate for the 48 dwelling units which would be razed in the subject block to make way for the proposed medical office building; but she agreed with Commissioner Ritchie that the possibility of new housing on the other site was not of great significance to the matter under consideration.

Douglas Engmann, 408 Stanyan Street, stated that his family would be forced to move from their present dwelling if the conditional use application were to be approved. He indicated that he was opposed to the proposed expansion of the medical center because he did not feel that it would be needed; and as pointed out in the Environmental Impact Report, the project would have a number of detrimental effects on the environment of the immediate neighborhood. The only purpose which the medical office would serve would be to make it more convenient for doctors to visit the hospital; and he felt that that reason alone was not sufficient justification for the project.

Ned Robinson, attorney for Mr. Engmann and his family, stated that the building which Mr. Engmann occupies would not be required by the hospital until Phase II of the proposed construction project. Under the circumstances, he would have no objection to the Commission approving a long-range Master Plan indicating future use of the property by the hospital; however, since the second phase of the project may not be undertaken for some considerable amount of time, he felt that the Commission should not grant conditional use authorization for the second phase of the project at the present time. Furthermore, he felt that property located to the south of the new hospital would be a more logical location for Phase II of the expansion project since use of that property would not require the removal of privately-owned residences.

Peter Mendelsohn, representing TOOR, supported the position taken by the residents of the Haight-Ashbury District in opposition to the proposed hospital expansion. Such expansion projects often result because of the availability of Federal funds; but he felt that people should not forget that it is the taxpayers who pay in any case. He stated that he is involved in a satellite clinic program under the auspices of San Francisco General Hospital; and, based on his own experience, he advised the Commission that most people would rather go to a doctor's office in their own neighborhood rather than to suffer the inconvenience of having to go to a medical office building located in another part of town. He also remarked that the population of the city is declining; and, under the circumstances, he questioned the need for more medical office and clinic space. The City does have a need for more neighborhood doctors; and he did not feel that all of the city's doctors should be located in one neighborhood. He hoped that the new housing contemplated for the old Notre Dame Hospital site at Broadway and Van Ness Avenue would be built because it is needed; however, he did not feel that that housing should be regarded as a replacement for housing in the subject neighborhood.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), recommended that both the Master Plan and the Conditional Use Application be continued until the Commission's regular meeting on January 3, 1974. He explained the reasons for the recommendation, as follows:

"It is obvious that the subject proposal is one which can not be decided without major review of the testimony given today. On the one hand are the desires of St. Mary's Hospital and Medical Center and whether or not the proposed construction of an office building, with clinic and teaching facilities, will provide important medical care benefits to the citizens of San Francisco that would not occur if this project were not approved. On the other hand are the traffic problems discussed in detail in the Environmental Impact Report and described today, and the disruption of an existing residential neighborhood, most particularly the 48 dwelling units which would be razed if the office buildings were built as proposed.

"The staff has consulted with Lloyd Frost, Executive Director of the San Francisco Comprehensive Planning Council, about this proposed project and understands that the Council could advise the Commission by January 3 on the desirability of the proposed project as a health service to the citizens of San Francisco, and of other alternatives for providing such services.

"Additionally, the staff wishes to review with the City Attorney's Office the nature of the eminent domain powers of the medical center, and the relationship of these powers to the conditional use procedures of the City Planning Code."

Commissioner Porter felt that the public hearing should be closed and that the discussion on January 3 should be confined to members of the Commission. Therefore, she moved that consideration of the Master Plan and of the Conditional Use Application be taken under advisement until the meeting of January 3. The motion failed for want of a second.

Commissioner Rueda observed that there appeared to be many problems which would have to be resolved by the applicant prior to the meeting of January 3.

Commissioner Fleishhacker stated that he could not possibly vote in favor of the conditional use application in its present form because of the overwhelming opposition which had been expressed by members of the public; and, before taking action on the matter, he felt that the Commission should look closely at other alternatives.

Commissioner Porter agreed that many difficulties remained which would have to be worked out; however, she felt that St. Mary's medical center should be entitled to the same type of facilities as other medical centers in the city, including space for medical offices; and she indicated that it was her intention to support the medical center's request for a medical office building.

When the question was called, the Commission voted unanimously to continue the hearing on the Master Plan and the conditional use application until its regular meeting on January 3, 1974.

EE73.148 -CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT FOR TWO OFFICE BUILDINGS WITH APPROXIMATELY 260,000 SQUARE FEET OF OFFICE SPACE, A GARAGE FOR APPROXIMATELY 565 AUTOMOBILES, AND A RESTAURANT (FRANCISCO BAY OFFICE PARK) TO BE LOCATED ON PROPERTY BOUNDED GENERALLY BY THE EMBARCADERO, CHESTNUT, MONTGOMERY, FRANCISCO, KEARNY, AND BAY STREETS.

DeWayne Guyer, Planner II, summarized the contents of the Environmental Impact Report.

Subsequently, the Commission received testimony from Robert Katz, representing the Telegraph Hill Dwellers, and David Robinson, representing the developers.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7114 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report dated December 6, 1973 concerning EE73.148, Francisco Bay Office Park, Bounded by The Embarcadero, Bay, Kearny, Francisco, Montgomery and Chestnut Streets, is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Commission takes said Final Environmental Impact Report into consideration before acting on the project itself under CU73.56, and does hereby signify such consideration by ADOPTING said Report."

A standard tape cassette recording of the proceedings is available in the offices of the Department of City Planning for public listening or transcription.

CU73.56 - AREA BOUNDED GENERALLY BY THE EMBARCADERO, CHESTNUT, MONTGOMERY, FRANCISCO, KEARNY AND BAY STREETS.
REQUEST FOR AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT FOR FRANCISCO BAY OFFICE PARK.

DeWayne Guyer, Planner II, referred to land use and zoning maps to describe the subject property, noting that the entire site is in a C-2 District, in Northern Waterfront Special Use District No. 3, and in a 40X Height and Bulk District. He then proceeded to summarize the applicant's proposal, as follows:

"The proposal is a Planned Unit Development consisting of four buildings, each about four stories high with approximately 243,500 square feet of commercial office space and approximately 20,000 square feet of retail commercial space to be developed in two phases with all uses except about half of the office space to be developed in the first phase, and the remaining half of the office space in phase two. Two of the proposed four buildings, would be basically office space, the third building would be a parking facility containing approximately 542 attendant parked stalls and the fourth building would be a three-story restaurant. The proposal also includes closing to vehicular traffic and landscaping portions of Francisco Street and Montgomery Street, which action would require specific approval by the Board of Supervisors."

At this point in the proceedings, Commissioner Fleishhacker absented himself from the meeting room for the remainder of the meeting.

President Newman asked if anyone was present in the audience who wished to speak in opposition to the subject application.

Robert Katz, representing the Telegraph Hill Dwellers, stated that he was not opposed to the applicant's proposal; however, if the application were to be approved, there were certain concerns which he hoped would be covered by the conditions which would be established by the Commission.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), recommended that the application be approved subject to 24 specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. He stated that Mr. Katz had discussed the concerns of the Telegraph Hill Dwellers with the staff of the Department of City Planning; and he felt that most of those concerns were addressed in the conditions which were being recommended. However, since Mr. Katz had not seen the draft resolution, he indicated that he would read each of the proposed conditions so that Mr. Katz would have a clear understanding of their content. After reading the conditions, he recommended that the draft resolution be adopted.

Mr. Katz stated that he was concerned about screening of open parking on the top level of the parking garage as seen from above; and he wondered if Condition No. 5, which addressed itself to screening of the garage as seen from "adjacent sidewalks and street areas," could be amended to include the words "as viewed from above." After discussion he agreed that the condition, as recommended by Mr. Steele, would be adequate as long as it was understood that the word "adjacent" could also be interpreted to mean "as viewed from above." He then remarked that he did not regard the word "screening" to mean "obliterating."

Mr. Steele stated that the word "screening," as used in the draft resolution, was intended to mean "obliterating." However, he felt that the rooftop landscaping required in Condition No. 16 in the draft resolution would achieve the softening effect which Mr. Katz sought.

Mr. Katz stated that he was also concerned that it be clear that the developers should have responsibility for maintaining the required landscaping. Mr. Steele replied that that responsibility was inherent in the resolution as drafted.

Finally Mr. Katz asked if the conditions stipulated in the draft resolution would be binding on any future owners of the property. Mr. Steele replied in the affirmative.

President Newman asked if the conditions which had been recommended by Mr. Steele would be satisfactory to the applicant. Mr. Bogart, representing the applicant, replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7115 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Lynn E. Pio,
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 13, 1973.

The City Planning Commission met pursuant to notice on Thursday, December 13, 1973, at 2:00 P.M. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, John Ritchie, and Hector Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Robert Passmore, Planner V (Zoning); Richard Gamble, Planner IV; Alec Bash, Planner III (Zoning); Sidney Shaw, Planner III; Marie Zeller, Planner III-Administrative; Clifford Graves, Management Assistant; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Carol Kroot represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of November 19, 1973, be approved as submitted.

At this point in the proceedings, Commissioner Rueda arrived in the meeting room and assumed his seat at the Commission table.

Allan B. Jacobs, Director of Planning, reported on his recent trip to various German cities.

Edward I. Murphy, Acting Director of Planning, informed the Commission that a lawsuit had been filed challenging the validity of the Height and Bulk Ordinance adopted by the Commission in 1972 and on the basis that no environmental impact report was prepared on the ordinance.

Mr. Murphy reminded the Commission that the Planning and Development Committee of the Board of Supervisors will hold a public hearing on the proposed interim residential zoning controls next Tuesday evening, December 18, at 7:30 P.M.

George A. Williams, Assistant Director - Plans and Programs, introduced a draft resolution to the Commission, as follows:

"Earlier in the year we reported to you on the progress made toward meeting the State requirement for a noise element in our comprehensive plan. After rather lengthy consultations with the Department of Public Works and acoustical engineering consultants, we have negotiated a contract with BOLT BERANEK AND NEWMAN. Under the contract, the consultant would measure and analyze present and projected noise levels associated with the city's major thoroughfares and other transportation facilities. The consultant will also recommend measures that can be taken to reduce or otherwise lessen the adverse effect of transportation noises in the city.

"The contract amount is for \$29,000 and the work is to be completed within six months, weather permitting. Throughout the term of the contract, the Department of Public Works has agreed to assist our staff in interpreting and applying the results.

"A draft resolution has been placed before you which would authorize the Director to enter into and execute the contract with BOLT BERANEK AND NEWMAN."

Mr. Murphy recommended that the draft resolution be adopted.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7116.

President Newman requested that the record show that he has no known relationship with the "Newman" in the firm of Bolt, Beranek, and Newman.

Robert Passmore, Planner V (Zoning), noted that the Commission, during its meeting on December 6, had given consideration to letters requesting that the Commission conduct a discretionary review of a building permit application to convert an existing three-story, single-family dwelling at 2420 Pacific Avenue into a two-family dwelling with a two-car garage in the existing front yard. At the conclusion of its discussion on December 6, the Commission had requested the staff to work further with the applicant to determine if the garage could be placed inside the building; and the Commission had instructed the staff to report on that matter at the present hearing. Mr. Passmore reported that he had met with the applicant during the interim to discuss three alternative ways of handling the parking problem. The first alternative given consideration was to place the off-street parking spaces beneath the existing building. However, construction of a garage within the existing building would probably entail considerable expense; and the applicant felt that he could not afford to take that approach. The second alternative considered involved the possibility of obtaining access for automobiles to the rear yard area of the property so that the off-street parking spaces could be placed at the rear of the house. A driveway along the east side of the house would be feasible only if the

adjacent property owner were willing to grant an easement for use of a portion of his property; but the neighbor had been unwilling to grant the easement. Space sufficiently wide for an automobile is available on the west side of the building except at one point where the presence of a chimney narrows the passageway to a point where automobile access would be difficult. The third alternative discussed, and the one preferred by the applicant, would be to place the two off-street parking spaces in the front-yard area without building the garage structure. The applicant had indicated that he would pave the open parking spaces with an attractive material; and he had indicated that he would install additional landscaping in the front yard area. However, that alternative had been discussed with residents of the neighborhood who had petitioned to have the Commission conduct a discretionary review of the building permit application; and they had felt that open parking spaces in the front yard area would be as objectionable as the original proposal to construct a garage in the front yard area.

Commissioner Fleishhacker, trying to understand the applicant's objection to placing the parking within the building asked if it would not be less expensive to do that than it would be to construct a separate garage building. Howard York, engineer for the applicant, replied in the negative. By way of explanation, he indicated that a great deal of the front wall of the building would have to be removed, steel beams would have to be added for support, and the walls and ceiling of the parking area would have to have one-hour fire resistant surfaces. Under the circumstances, he believed that it would be cheaper to construct a completely separate building. In reply to a further question raised by Commissioner Fleishhacker, Mr. York estimated that placement of the parking spaces beneath the existing building would cost from 50 percent to 100 percent more than a separate garage structure would cost.

Commissioner Porter asked if the applicant would be willing to develop an access driveway to the rear yard along the west side of his property if it should be determined that a driveway in that area would be feasible. Mr. York replied that his client was rather opposed to that approach; and he felt that residents of the neighborhood would not be pleased with that solution to the problem either.

Mr. Passmore emphasized that any driveway constructed on the west side of the house would have to be extremely narrow adjacent to the chimney. He also remarked that the applicant could file an application requesting the Zoning Administrator to grant a variance from the one off-street parking space which would ordinarily be required by the City Planning Code; and, in that event, no off-street parking spaces would have to be provided on the site.

Commissioner Fleishhacker inquired about the width of the subject property; and, being advised that the property has a width of 50 feet, he observed that at least two on-street parking spaces are probably available

in front of the property at the present time. If a curb cut were installed to provide access to new on-site parking spaces, the number of on-street parking spaces would be reduced.

Commissioner Porter asked if both of the off-street parking spaces being proposed by the applicant would be required by the City Planning Code. Mr. Passmore replied in the negative. He stated that only one of the off-street parking spaces is required by the Code to serve the new dwelling unit being created; however, the applicant had felt it would be just as easy to construct two off-street parking spaces, one to serve the new unit and the other to serve the existing unit.

Commissioner Porter asked if the applicant intends to live in the building. Mr. Manier replied in the affirmative.

Joan Barr, 2449 Pacific Avenue, stated that she and three other families who reside in the neighborhood had decided that the best solution to the problem would be for the Department of City Planning to waive the requirement for off-street parking on the subject property. They felt that construction of a garage in the front yard area would be unattractive; and they believed that open parking spaces in the front yard would be just as ugly. The preferable approach would be to place the off-street parking spaces beneath the existing building; but they understood that such a project could be quite expensive. Furthermore, if off-street parking spaces were to be provided anywhere on the site, an access driveway would have to be provided which would reduce the number of curb-side parking spaces which are available and which would probably require the removal of some trees. For those reasons, they felt it would be desirable if the requirement for off-street parking could be waived.

Jay J. Levine, 2504 Pacific Avenue, advised the Commission that the description of the property offered by Coldwell Banker and Company when the property was on the market stated that it would be possible to make a three-car garage in the basement ballroom under the front of the house. He stated that he supported the remarks which had been made by Mrs. Barr regarding the off-street parking issue.

Mr. Passmore stated that the next zoning variance hearing would be held by the Zoning Administrator on January 16; and, in order to be heard on that date, an application for a parking variance would have to be filed by the applicant by December 19.

Commissioner Rueda observed that there would be no way to designate the curb-side parking spaces in front of the site for the exclusive use of residents of the property; and he felt that the best solution would be to create two open parking spaces in the front yard area and to install additional landscaping.

Mr. York stated that a ten-foot wide driveway would be adequate to serve both of the parking spaces in the front yard area; and, as a result, only one curb-side parking space would have to be removed. He stated that the owner of the property does, in any case, want to have off-street parking available for his convenience and for the convenience of his tenants; and, even if the parking were to be provided underneath the house, the amount of pavement which would be required would probably be almost as much as would be required for actual parking in the front yard area. He stated that the owner of the property would install an automatic ornamental gate to control automobile access to the site; and he felt that such a gate would be much more attractive than the plain board fence in front of the property to the east. He stated that no trees would be removed from the front yard area; and, in fact, additional landscaping would be added.

Mr. Murphy recommended that the building permit application be approved with the proviso that off-street parking be provided in the informal front set-back area, that that area be landscaped, and that an automatic ornamental gate be installed across the driveway.

Commissioner Ritchie remarked that there must be many houses in San Francisco which will face a similar problem if an attempt is made to convert them in the future for greater occupancy; and he did not feel that it would be wise to establish a precedent of requiring off-street parking to be provided in front yard areas.

President Newman asked if the terms of the staff recommendation, as expressed by Mr. Murphy, would be satisfactory to the applicant. Mr. Manier replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried five to one that Building Permit Application No. 428016 for conversion of a single-family dwelling at 2420 Pacific Avenue be approved with a proviso that off-street parking be provided in the informal front set-back area, that that area be landscaped, and that an automatic ornamental gate be installed across the driveway. Commissioners Farrell, Fleishhacker, Newman, Porter, and Rueda voted "Aye"; Commissioner Ritchie voted "No".

Mr. Murphy recommended that the Commission cancel its Regular Meeting scheduled for Thursday, December 27, 1973. Subsequently, it was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that the meeting of December 27 be cancelled.

After discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that President Newman be instructed to send a letter to the members of the Board of Supervisors explaining the reasons for the Commission's unanimous disapproval of the "Places of Aid" amendment. Commissioner Porter abstained from voting.

- CU73.49 - THE TRIANGLE OF LAND BOUNDED BY MARKET, 12th STREET,
AND SOUTH VAN NESS AVENUE
(UNDER ADVISEMENT from meeting of December 6, 1973)
Request for authorization for a parking garage for 150
automobiles; in a C-3-G District.

Edward I. Murphy, Assistant Director of Planning, stated that the Commission had indicated its desire to approve this application subject to appropriate conditions during the hearing held on December 6; and, at the conclusion of that hearing, it had requested the staff to prepare a draft resolution of approval with specific conditions to be considered by the Commission at the present hearing. He stated that the draft resolution had been prepared which contained seven conditions; and, after summarizing the conditions, he recommended that the draft resolution be adopted.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7117, and that the application be approved subject to the conditions contained in the draft resolution.

- R73.55 - JURISDICTIONAL TRANSFER OF PROPERTY FOR POTRERO HILL
HEALTH CENTER.

Richard Gamble, Planner IV, reported on this matter as follows:

^{11:00}
The out-patient department of San Francisco General Hospital has received a grant from HEW for improving services, which includes funds for constructing and operating two neighborhood health care centers. One of these serves the South of Market Area (temporarily operating at the Canon Kip Community House) and the other will serve Potrero Hill. Other high-need areas of the City, such as the Mission, Fillmore and Hunters Point districts are served by health centers established by OEO or Model Cities efforts.

^{5:30}
Despite the proximity of San Francisco General Hospital to Potrero Hill, the space allocated for out-patient service in the new building is only half the projected space need for that department, and even represents a ten percent reduction from the space they currently operate in and describe as "very cramped". Health Department staff also point out that a health center would relate better to the neighborhood if (a) it has its own identity, rather than being lost within a massive institution, and (b) if it is located close to the center of its service area.

"The bulk of the center's patients will come from the permanent public housing on the southeast side of Potrero Hill. No site is

available within the housing project, hence the closest open land available is the Wisconsin Street housing project area.

"The Health Department initially selected a site on Carolina Street at the top of the hill opposite Starr King elementary school. This was the only sizable flat area in the project, and had been reserved for open space use in the Department's Wisconsin Street Housing Study. The sites north and northeast of the school were designated for community facilities. In response to our urging, the Health Department has agreed to redesign its facility and utilize the site north of the school. This location has the advantage of being right across the street from the permanent public housing it is intended to serve.

"Coral Way is essential to neighborhood circulation and should remain open. The sidewalk along the schoolyard is also needed, but could be narrowed some to provide parking."

Francis J. Curry, Director of Public Health, advised the Commission that the subject neighborhood is the primary health need area of the City. While the neighborhood does lie immediately adjacent to San Francisco General Hospital, the people living in the area tend to feel isolated from the hospital because of social, cultural, and even physical barriers. Attempts had been made to co-ordinate the health care program for the Potrero Hill neighborhood with the Mission and Hunters Point districts; however, those co-ordinated facilities had not materialized. He stated that the Federal government had agreed to fund the proposed facility for five to eight years; and, given the need for the facility in the neighborhood, he urged that the jurisdictional transfer of property be approved.

Leland Meyerzove (Chairman, Central City Anti-poverty Program and Chairman, District Council of EOC) stated that the proposed facility would provide health services for the adjacent neighborhood without over-burdening the facilities at San Francisco General Hospital. He hoped that the Commission would endorse the project and give its approval to the proposed transfer of property.

Peter Mendelsohn, representing TOOR, stated that the City will lose the \$400,000 pledged by the Federal government for the proposed facility if construction is not initiated by a certain date; and, since the facility is very badly needed, he urged that it be approved.

Edward I. Murphy, Assistant Director of Planning, recommended that the proposed jurisdictional transfer of property be approved as in conformity with the Master Plan provided that Coral Way remains open to traffic and that a side-walk at least six feet wide be provided or retained alongside the schoolyard.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that the transfer of jurisdiction of Lot 51, Block 4219,

from the Real Estate Department to the Health Department is in conformity with the Master Plan, provided that Coral Way remains open to traffic and that a sidewalk at least six feet wide be provided or retained alongside the schoolyard.

R73.44 - STREET VACATION - FILBERT STREET in GREENWICH SQUARE

Richard Gamble, Planner IV, reported on this matter as follows:

"The City Planning Commission approved the conditional use application for the Greenwich Square planned unit development on July 5, 1973, and also certified the completion of its Environmental Impact Report. The development of Filbert Street as a pedestrian mall with sub-surface parking garages is an integral part of this development and requires vacation of the street below grade between Sansome and the Embarcadero. Additionally, the street surface will have to be closed to vehicular traffic and the details of the mall development approved through the encroachment permit procedure.

"The Plan for Transportation Thoroughfares Plan Objective 3, Policy 2, is to 'Retain streets not required for traffic for pedestrian circulation, open space use and density controls.' The Policies for Conservation of the Urban Design Plan relative to street vacation are supportive of this proposal as long as public pedestrian access along the mall on the right-of-way is assured, and by minimizing the extent of the vacation by limiting it to below grade.

"Because part of the right-of-way falls under the jurisdiction of the Port of San Francisco, it cannot be sold without permission of the State Legislature, but the City can lease these rights for a fifty-year period. In some other respects leasing is preferable to sale; it facilitates enforcement of the conditions of approval of the project, since they can be written into the lease agreement. Also, if the project fails to become a reality, the City retains title to the street."

Commissioner Fleishhacker asked if utility lines are located in the sub-service street area. After Mr. Gamble had replied that he did not know whether any utility lines are located in the sub-service street area Commissioner Fleishhacker observed that any lines which might exist will have to be relocated at the expense of the applicant if the sub-surface rights were to be sold to him by the city.

Commissioner Ritchie asked what would happen to the railroad track which is presently located on the street surface.

Donald Wyler, representing the applicant, stated that the railroad presently serves a warehouse in the area; and he indicated that arrangements have been made for its removal. He stated that utility lines do exist in the sub-surface street area; and he confirmed that the expense of relocating those utility lines will be borne by the applicant.

Edward I. Murphy, Assistant Director of Planning, recommended that the closing of Filbert Street between Sansome Street and the Embarcadero to vehicular traffic and the vacation and lease of rights to the street area below finished grade be approved as in conformity with the Master Plan provided that the conditions set forth in City Planning Commission Resolution No. 7035, approving the Greenwich Square Planned Unit Development, be incorporated and enforced through the lease agreement.

Commissioner Ritchie stated that he intended to abstain from voting on this matter because of a possible conflict of interest.

After discussion, it was moved by Commissioner Porter and seconded by Commissioner Fleishhacker that action be taken in accordance with Mr. Murphy's recommendation.

Commissioner Rueda inquired about the duration of the leases which will be negotiated with the City and the Port. Mr. Gamble replied that the land owned by the Port could be leased for a maximum of 50 years and that land owned by the City could be leased for a maximum of 66 years.

Commissioner Rueda stated that it seemed to him that it would be preferable to both leases expire at the same time. Mr. Wyler agreed and stated that the effective duration of each of the leases would be an equal period of time.

When the question was called, the Commission voted unanimously to authorize the Director to report that the closing of Filbert Street between Sansome Street and the Embarcadero to vehicular traffic and the vacation and lease of rights to the street area below finished grade are in conformity with the Master Plan provided that the conditions set forth in City Planning Commission Resolution No. 7035, approving the Greenwich Square Planned Unit Development, be incorporated and enforced through the leased agreement. Commissioner Ritchie abstained from voting.

**R73.53 - LAND ACQUISITION FOR MISSION CHILDREN'S CENTER EXPANSION
ON BARTLETT STREET.**

Richard Gamble, Planner IV, reported on this matter as follows:

"The Mission Children's Center is an existing day care center for pre-school children, one of about a dozen such facilities run by the Board of Education. It is located on the west side of Mission Street mid-block between 25th and 26th Streets.

"The Board wishes to purchase two vacant lots to the rear and slightly north of the existing facility, on the west side of Osage Alley and fronting on Bartlett Street for an addition. They will build a one-story frame structure containing two classrooms, toilets and a kitchen. Approximately half the lots' 8225 square

foot area will be open and used for play space. The facility will accommodate 40 children. The nature of pre-school center operation is such that there will be little, if any, back and forth traffic of children between the main facility and the addition.

"The property is zoned C-2. Nursery schools and day care centers are permitted uses, provided that 100 square feet of outdoor play space is provided per child. If half of this site is made play area, as indicated by School District planners, the student capacity will be 41.3, satisfying this Code requirement."

No one who was present in the audience wished to be heard on this matter.

Edward I. Murphy, Assistant Director of Planning, recommended that acquisition of the property be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the acquisition of Lots 19 and 20, Block 6525, for expansion of the Mission Children's Center, is in conformity with the Master Plan.

EE73.195 - Appeal of a determination by the Department of City Planning that an Environmental Impact Report will be necessary for Building Permit Application No. 428408 for a six-unit building to be located at 1258 - 10th Avenue.

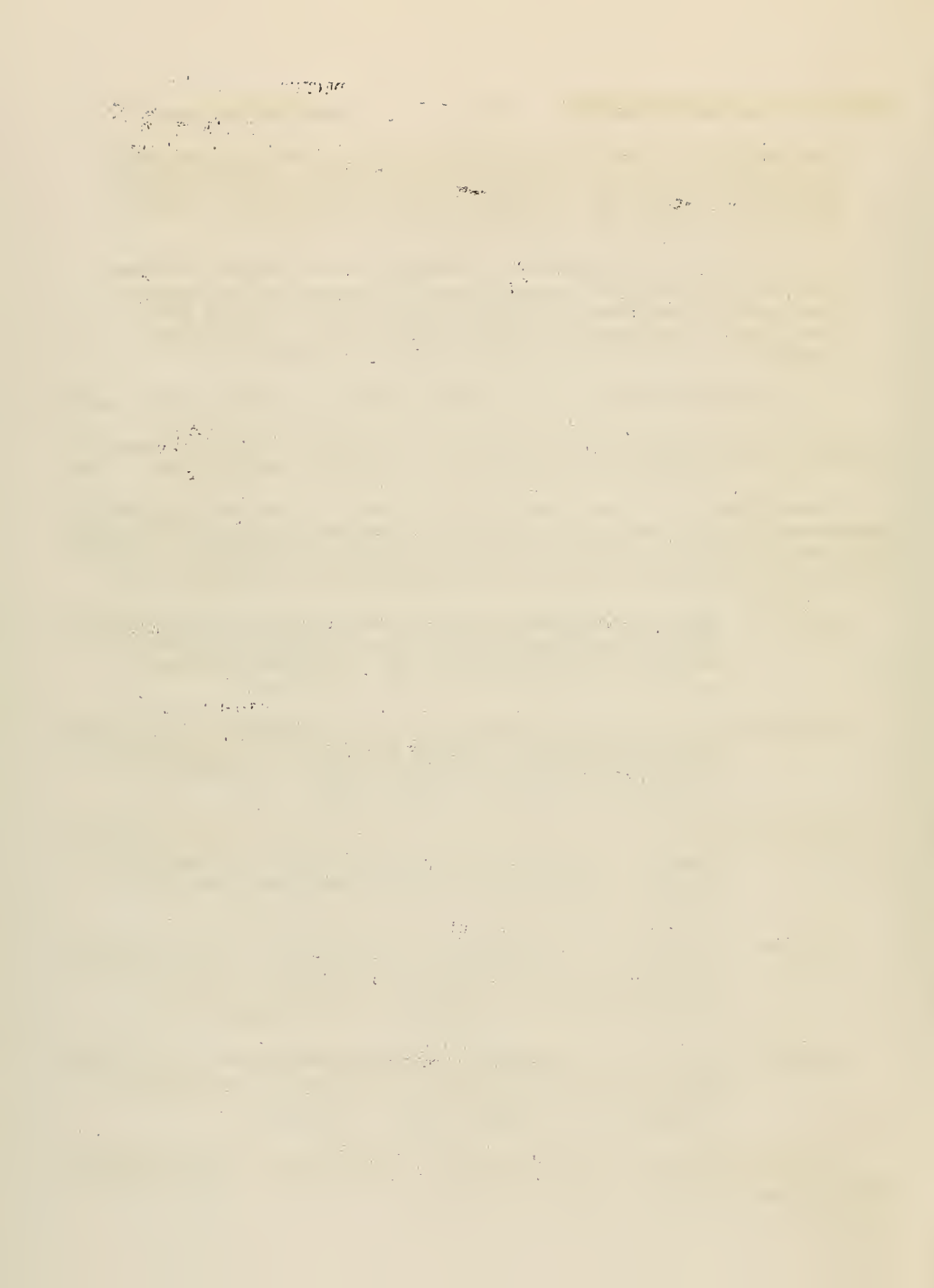
EE73.196 - Appeal of a determination by the Department of City Planning that an Environmental Impact Report will be necessary for Building Permit Application No. 428406 for a six-unit building to be located at 1266 - 10th Avenue.

EE73.200 - Appeal of a determination by the Department of City Planning that an Environmental Impact Report will be necessary for Building Permit Application No. 428407 for a six-unit building to be located at 1276 - 10th Avenue.

EE73.201 - Appeal of a determination by the Department of City Planning that an Environmental Impact Report will be necessary for Building Permit Application No. 428410 for a six-unit building to be located at 1215 - 10th Avenue.

EE73.205 - Appeal of a determination by the Department of City Planning that an Environmental Impact Report will be necessary for Building Permit Application No. 428231 for a six-unit building to be located at 1219 - 10th Avenue.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter as follows:



"The Department transmitted a Notice that an Environmental Impact Report is Determined to be Required to the applicants on November 23, 1973, after finding that the proposed projects may have a significant effect on the environment. The basis for this finding includes the following, which are derived from criteria in the Guidelines of the State Secretary for Resources:

- "1. The projects are in conflict with environmental plans and goals that have been adopted by the community where the projects are to be located:

"The proposed projects, while in general conformity with existing zoning regulations, would seriously decrease the supply of open space within the affected block. Such deterioration is in conflict with the Urban Design element of the Master Plan, and proposed interim controls based on that element. The proposed interim controls would require a rear yard of 45 feet, while 15 feet, with parking in the rear yard, is being proposed. In addition, interim controls would prohibit light court units, while two of the six proposed units in each building would be light court units.

- "2. The projects have a substantial and demonstrable negative aesthetic effect:

"The current pattern of rear yard open space utilization reflects a high degree of use. Most yards are carefully manicured and reflect a large measure of owners pride.

"The proposed projects would drastically reduce light and the sense of openness currently enjoyed by the residents, and result in a decrease in current rear yard maintenance efforts.

- "3. The projects have the potential to degrade the quality of the environment, or curtail the range of the environment:

"Green space is an aspect of man's environment worthy of protection. The proposed project would decrease available open space by making more intense use of the lots in question. Additionally, the proposed projects would reduce the utility of adjacent open space, thereby degrading the overall quality of the immediate environment.

- "4. The projects have the potential to achieve short-term, to the disadvantage of long-term, environmental goals:

"The proposed projects would potentially fulfill the goal of providing clean, and decent housing, thereby improving the overall environment over the short term, however, they are judged to have potentially damaging effects to the immediate environment over the long range, by reducing open space and perceived openness in the interior of the block.

- "5. The projects have impacts which are individually limited, but cumulatively environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly:

"The existence of usable open space has a salutary effect upon human beings. To decrease the supply or reduce the utility of this space would have a direct adverse effect upon neighboring residents.

"Individually, the impact of each proposed project in the immediate environment is marginally adverse but perhaps acceptable; however each proposed project is but one of several in the immediate area. Therefore, the potential cumulative effect of these projects is devastating.

"Rudolph A. Hoffman, in a letter dated November 23, 1973, and Ted O'Neill, in a letter dated November 28, 1973, appealed the determination that an environmental impact report was required, on the identical grounds that 'the construction at the ... site(s) will not have a significant effect on the environment."

Commissioner Porter, noting that most of the properties in the block are developed with only single-family or two-family homes, observed that the area should probably never have been zoned R-4.

Mr. Steele stated that he agreed with Commissioner Porter.

Mr. Rueda stated that the nature of Mr. Steele's presentation was such that he felt as if he had already been given an environmental impact report on the proposed buildings; and, in view of that fact, he questioned the desirability of requiring the preparation of an environmental impact report which would probably not be of great benefit to the Commission and would only add to the expenses of the owners of the properties involved.

Mr. Steele replied that both State law and the local environmental impact ordinance provide that the Commission has only two alternatives when considering an appeal of a staff determination that an environmental impact report is needed. The first alternative is to sustain the action of the staff, finding that the project could have a significant or negative effect on the environment, and requiring the preparation of an environmental impact report.

The other alternative would be to find that the project could not have a significant or negative effect on the environment and to instruct the staff to issue a negative declaration specifying that no environmental impact report would be required.

President Newman asked if the buildings being proposed would conform to the interim residential zoning controls which had been transmitted to the Board of Supervisors for consideration. Mr. Steele replied that the proposed buildings would have rear yards with a depth of only 15 feet whereas the interim residential zoning controls would require the rear yards to have a minimum depth of 45 feet.

Commissioner Farrell asked if the six apartment buildings presently under construction in the subject block of 10th Avenue had been subject to environmental impact review. Mr. Steele replied that the projects had been reviewed by the staff; however, since cumulative impact of the buildings was less notable at that time, each of the buildings had received a negative declaration.

Commissioner Farrell then asked if the staff would have issued a negative declaration if only one additional apartment building had now been proposed for the block. Mr. Steele replied that one additional building might have been reasonable and acceptable; however, with five new buildings being proposed at the same time for a block in which five new buildings are already under construction and one additional building has been authorized, the cumulative impact of the buildings becomes an important factor.

Commissioner Fleishhacker inquired about the nature of the buildings occupying the subject properties at the present time. Mr. Steele replied that the two properties on the west side of 10th Avenue are developed with single-family buildings which appear to be in reasonably good condition. On the east side of the street, two of the lots are occupied with two-family dwellings, while the third lot is occupied by a single-family dwelling; and all three structures appear to be in good condition.

Commissioner Porter asked how the proposed buildings could legally be constructed if an application has been filed to reclassify the properties. Mr. Steele replied that the building permit applications had been filed prior to the filing of the application for reclassification of the property.

Commissioner Porter stated that she was disturbed by Mr. Steele's statement to the effect that one additional building might have been acceptable at the present time; and she wondered if the applications had been filed separately, at six months intervals, for instance, if the staff might not have issued a negative declaration in each case.

Mr. Steele stated that the staff of the Department of City Planning has developed a program to monitor construction activity throughout the

city to determine areas of greatest activity which might, through cumulative impact of new developments being proposed, suffer significant environmental consequences. With that monitoring program in operation, the increased activities in the subject block of 10th Avenue would have been noticed even if the applications had been filed on an individual basis; and, noting the resulting cumulative impact the staff would have been concerned and would probably have started to require the preparation of environmental impact reports.

Commissioner Ritchie asked if he were correct in understanding that the matter of greatest concern to the staff was the small size of the rear yards being proposed and the resulting effect upon the open space in the center of the two blocks. Mr. Steele replied in the affirmative.

Commissioner Ritchie then asked if the subject properties are owned by the individuals who had filed the building applications.

Rudolf Hoffman, one of the applicants, stated that he and his partner started to acquire the properties in 1966. He said that both he and his partner have relatives who live on 10th Avenue; and he indicated that both he and his partner live in the neighborhood. He said that they are both active in the community; and he thought that they could in no way be regarded as speculators. When the permit applications for the proposed buildings had been filed, they had been advised by the staff of the Department of City Planning that no environmental impact report would be needed; and they were assured that the 15-foot rear yards being proposed would be in conformance with the R-4 zoning of the property. Subsequently, however, the staff of the Department of City Planning had formulated interim residential zoning controls which would require provision of 45-foot rear yards on the subject properties; and, on November 23, the staff had decided that an environmental impact report would be required because of the backyard issue. He emphasized that the Board of Supervisors had not adopted the proposed interim controls; and, as a result, 15-foot rear yards in R-4 districts are still permissible. In conclusion, he stated that the buildings currently occupying the subject properties are run-down; and he and his partner had thought that construction of new integrated housing for families with children would be desirable.

Mr. Steele confirmed that the law still provides that a 15-foot rear yard is acceptable in R-4 districts; and he believed that no member of the staff of the Department of City Planning would have advised the applicant otherwise. However, environmental review requirements, which have been in effect for the past year, are a completely different matter; and, because of the cumulative effect which a number of new apartment buildings with small rear yards might have on the block in question, the staff had determined that environmental impact reports should be prepared for the proposed buildings.

Mr. Hoffman emphasized that no environmental impact reports had been required for the new buildings presently under construction in the block.

Commissioner Porter stated that she would like to review the plans for the proposed buildings since she felt that the appearance of the buildings might have a more important effect on the environment than the size of their rear yards.

Harold Dow, architect for the applicants, stated that the plans were not available in the meeting room. He indicated, however, that he had designed a number of small apartment buildings in the Richmond and Sunset Districts; and he stated that he has tried to make his buildings as beautiful as possible within the limitations set by applicable city codes. He indicated that two-bedroom, two-bathroom units will be located at the front and the rear of the buildings; and the center units, which will face a light-court, will be studios. He stated that he had made an attempt to raise some of the ceilings in the dwelling units; and, in designing the buildings, he had been conscious of the desirability of inviting sunlight into the dwelling units. He emphasized that all of those amenities would require extra expenditures on the part of the developers. He remarked that it would also be possible to design three-story buildings rather than two-story buildings to accommodate the six units permitted. But such buildings would be more difficult to construct; and they would still have light wells. Furthermore, such buildings would attract as many, and perhaps more people to the area because of an increased number of bedrooms.

President Newman asked if all of the buildings being proposed would be constructed according to the same design. Mr. Dow replied in the affirmative.

Commissioner Ritchie asked if a rendering of the type of building being proposed was available for review by the Commission. Mr. Dow replied in the negative but he indicated that he could prepare a rendering for future review by the Commission.

Richard Klein, Mr. Hoffman's partner, stated that they had concentrated on the construction of family housing; and he indicated that their buildings are not sold for profit but are retained as a form of "retirement fund". He stated that they had constructed the first shingle and stucco building in the neighborhood in 1971; and he stated that he had planted the first street tree on the street. He advised the Commission that the three lots on the east side of 10th Avenue abut commercially zoned properties, most of which are commercially developed; and he felt that the apartment buildings which were being proposed would be compatible with the development on these adjacent parcels of property. He acknowledged that the buildings which presently occupy the three lots on the

east side of the street are not in a terribly bad state of repair. Nevertheless, they have reached the point where new plumbing, rewiring, and other improvements are needed to make them safe and comfortable for family living; and the work which would have to be done could not be undertaken economically. He also felt that the buildings being proposed would be compatible with other structures located on the west side of 10th Avenue, particularly in view of the fact that the buildings will be set back from 9 to 12 feet from the front property line. He stated that the existing building on one of the subject lots is presently devoted to "group living"; and he was convinced that families do not wish to live in that type of structure in neighborhoods such as the one under consideration. In conclusion, he said that residents of the area do not take advantage of their backyards; and he felt that that situation was understandable in view of the fact that they live within one block of Golden Gate Park.

Ted O'Neill introduced himself as the owner of the property located at 1219 10th Avenue.

President Newman stated that he had been under the impression that all five of the subject properties are owned by Mr. Hoffman and Mr. Klein. Mr. Klein replied in the negative, stating that he and Mr. Hoffman own only four of the subject properties.

Mr. O'Neill stated that he had paid \$34,500 for his property; and he indicated that he would not have paid that much money for the site if it had not been zoned R-4. However, the property is zoned R-4; and 15-foot rear yards are permitted in R-4 districts. Under the circumstances, he felt that he should be permitted to proceed with his project, as proposed.

Kathleen Courtney, a member of the Board of Directors of the Inner Sunset Action Committee (ISAC), read and submitted the following letter:

"The members of the ISAC would like to urge that Environmental Impact Statements be required for the proposed apartment houses in the 1200 block of Tenth Avenue. A few days after these permits were processed, ISAC filed down-zoning requests for an extensive area of the Inner Sunset, including the block where these apartments would be located. It seems reasonable that these proposed buildings, which would not be permitted under ISAC's recommended zoning designations, should receive the closest possible scrutiny. It is in this context that we ask for a full environmental evaluation of each project.

"In more specific terms, we believe an EI statement is needed for the following reasons:

--The sudden addition of so many apartment houses in one city block is bound to affect life in the area far more than would the construction of a single

apartment. An EI statement is called for in this instance simply because of the number of proposed buildings.

--The Inner Sunset is an impacted neighborhood in terms of traffic and transportation because of the presence of UC Hospital and the heavy arterial use of Lincoln, 7th and 9th Avenues. Only a careful EI report can give us some idea of the extent to which this situation would be affected by new construction of the kind proposed.

--ISAC has a long-standing commitment to the retention of families in the neighborhoods of the Inner Sunset. Before any part of our scarce family housing is replaced by apartments, we deserve to know what changes in population can be expected.

"We very much hope that the Commission will call for a complete environmental study of these proposals."

Commissioner Fleishhacker asked if it was likely that ISAC would want the Commission to refuse to disapprove the building permit applications for the proposed apartment buildings once the environmental impact reports, presently being requested, have been submitted. Then, after Ms. Courtney had replied in the affirmative and had noted that ISAC had filed an application requesting that the properties be reclassified to R-2, he asked her if he was correct in assuming that she favored retention of the existing building or construction of R-2 buildings rather than apartment buildings on the properties. Again, she replied in the affirmative.

Commissioner Fleishhacker then asked if the buildings occupying the subject lots are presently housing families; and, on receiving a negative response from the applicants, he remarked that the third reason for requesting the environmental impact reports, as specified in the letter from ISAC, was not really applicable to the specific structures in question.

Commissioner Ritchie asked if Ms. Courtney would have thought that an environmental impact report should be prepared if an application had been filed for only one additional apartment building in the block. Ms. Courtney replied in the affirmative, stating that recent construction activity on the block has clearly identified a trend.

Commissioner Porter remarked that the staff of the Department of City Planning had recently published a report which contained data indicating that the City has an extremely low vacancy rate; and she stated that the Commission has been aware of the need for moderate and low income housing for families. She observed that the subject properties have been zoned R-4 since 1960; and, under the circumstances, it was reasonable for the applicants to expect that they would be able to develop their properties with R-4 structures.

Ms. Courtney pointed out that Commissioner Porter had stated earlier in the meeting that the property should probably never have been zoned R-4 in the first place.

Commissioner Porter responded that many people in 1960 thought that San Francisco should expand and develop; since that time, however, many things have changed. At present, some people feel that San Francisco should henceforth remain unchanged.

President Newman inquired about the situation which would have existed if the application for re-zoning of the subject properties from R-4 to R-2 had been filed prior to the filing of the building permit applications. Mr. Steele replied that the building permit applications could not have been approved until action was taken on the zoning application.

Phillip Van Dyke, owner of property located at 1275 - 10th Avenue, stated that he had been disturbed when the buildings on the block had been demolished to make way for the apartment buildings presently under construction; however, since he had not been aware that those buildings were scheduled for demolition until demolition was actually taking place, he had felt that there was nothing that he could do. In the present case, however, he had circulated a petition in the area; and he had obtained more than one hundred signatures from people living and owning property within a three hundred foot radius of the subject property on the petition, which read as follows:

"We the undersigned are owner and tenant residents of 10th Avenue between Lincoln Way and Irving Street and of the immediate vicinity, San Francisco, California. We oppose all further destruction of existing houses and we oppose any additional apartment buildings in our neighborhood.

"We demand:

"That an Environmental Impact Report be drawn up for our block and neighborhood based on the needs and lives of we residents, because we are confident such a report will prove our demands the only just solution for a decent future in our area for us and future residents who seek a healthy neighborhood quality of life.

"That no further demolition be allowed.

"That no additional multiple unit buildings and no additional building permits be allowed.

"That any and all building and demolition permits extant for future work, including those that may have been applied for, for 1215, 1219, 1258, 1266-68, 1276 Tenth Avenue, be denied.

"That both sides of Tenth Avenue between Lincoln Way and Irving Street be down-zoned from the current R-4 to R-2 zoning.

"The right to guarantee the future of our single family dwellings to preserve and improve the neighborhood character of life in our area."

In conclusion, Mr. Van Dyke stated that the buildings presently occupying the subject properties are somewhat run-down because the owners have allowed them to deteriorate; however, he stated that the tenants of some of the other buildings are trying to fix them up.

Commissioner Farrell asked how long Mr. Van Dyke had lived in the neighborhood. Mr. Van Dyke replied that he had owned property on 10th Avenue for three years. He stated that the older buildings on the block are much better constructed than the new apartment buildings; and he remarked that apartment buildings, with no rear yards, are not appropriate for occupancy by families with children.

Commissioner Fleishhacker observed that some of the individuals who had signed the petition appeared to live more than three hundred feet from the subject properties. For instance, at least one of the signators had given an address on Masonic Avenue. Mr. Van Dyke replied that the petition had been circulated to owners and residents within a three hundred yard radius of the subject site. In addition, the petition had been signed by some members of ISAC.

Dennis Mosgofian, owner of property at 1227 - 10th Avenue, stated that he had purchased his property in June and had moved into the area in July. He had invested more than \$40,000 in his property; and he had intended to raise his children in that home. Yet, within a short time of his arrival in the neighborhood, buildings had been demolished and construction had begun on new apartment buildings.

Commissioner Porter asked Mr. Masgofian if he had been aware that his property was zoned R-4. Mr. Mosgofian replied in the affirmative but stated that he had not entirely understood what R-4 zoning meant. What had appealed to him was the house, its rear yard, and its proximity to Golden Gate Park. Yet, since he had purchased that property in what appeared to be a single-family residential area, work had started on 69 new dwelling units in the block. He thought that the members of the Commission could visualize the additional traffic and congestion which those new dwelling units would bring to the area. Nevertheless, 15 single-family dwellings still remain in the block; and, if those dwellings could be preserved, he felt that it might be possible to save the block. If environmental impact reports are required for the subject buildings, he did not believe that the reports should limit themselves to the rear yard problem. In addition, he felt that the report should give consideration to the fact that people who rent would not be likely to

stay in the neighborhood as long as people who purchase homes; and, by adding 30 new rental units to the block, the proposed buildings would devastate the neighborhood and change the character of the block from family residential to transient. In conclusion, he said that the fact that environmental impact reports had not been required for apartment buildings previously constructed in the block should not be any more surprising than the fact the United States is facing the possibility of gas-rationing for the first time during peace time.

Commissioner Ritchie asked Mr. Mosgofian what he thought the applicants should do with their properties. Mr. Mosgofian replied that he thought that the buildings which presently occupy the subject properties should be retained for family occupancy. He said that his own house is 63 years old; yet, there it is more solid than new buildings which are being constructed. He was confident that the existing buildings on the five subject lots could be fixed up nicely without a great deal of expense.

Commissioner Porter noted that the Commission had recommended interim residential zoning controls to the Board of Supervisors for enactment; and she remarked that those interim controls would require that rear yards with a minimum depth of 45 feet be provided on R-4 properties with dimensions equivalent to those of the subject lots. She asked if those provisions would satisfy Mr. Mosgofian's concern or if felt that the properties should be re-zoned to R-2, also.

Mr. Mosgofian stated that he would prefer that the property in the block be re-zoned R-1; however, since he had understood that such zoning might create a problem in that neighborhood, he had agreed to support the request for re-zoning to R-2. He thought that zoning would encourage the retention and rehabilitation of existing structures.

A resident of the building located at 1274 10th Avenue doubted that he, his wife, two children, and his wife's mother could be regarded as a commune; yet, they do live in a building which would be demolished if the permit applications for the apartment buildings are approved. He also indicated that rear yards in the block are being used.

A resident of the property located at 1258 10th Avenue stated that the house on that lot is a solid building constructed of red wood; and he did not feel that it should be demolished. He had also talked to other residents of the area and had found that they were generally opposed to demolition of the existing structures.

Tim Eichenberg represented Donald K. Goodrich, chairman of the Sunset Park and Educational Action Committee's Citizen's Planning Commission, stated that his organization supported the residents of 10th Avenue in their request that environmental impact reports be required for the proposed buildings.

Commissioner Fleishhacker asked Mr. Eichenberg why he thought that the environmental impact reports should be required. After Mr. Eichenberg had replied that his organization wanted to know exactly what the effect of the proposed buildings would be on the environment of the block, Commissioner Fleishhacker remarked that the effect which the buildings would have on the environment of the block should be apparent.

Commissioner Rueda asked Mr. Eichenberg if he realized that the Commission, after holding a public hearing on the environmental impact reports, could determine that the buildings would have a negative impact on the environment and still allow the buildings to be constructed. After Mr. Eichenberg had replied in the negative, Commissioner Rueda stated that that was one of the reasons why he had found the environmental review requirements to be so frustrating. He emphasized that all the law requires is a factual finding by the Commission; and, although the factual finding must be taken into consideration by the Commission when it takes final action on the project proposed, the Commission is not bound to disapprove the project merely because it might have a negative effect on the environment.

John Bardis, Chairman of the Housing Committee of ISAC, stated that he could understand why certain members of the Commission were concerned about the additional expenses which would be incurred by the applicants if environmental impact reports were to be required; however, he felt that it was important that the reports should be required and that a public hearing should be held on those reports.

Commissioner Fleishhacker remarked that the applicants would still be in a position to proceed with construction of the proposed buildings following the hearings on the environmental impact reports unless the Commission were to announce its intention of conducting a discretion review of the applications either by request of the residents of the neighborhood or on its initiative.

Commissioner Porter felt that it would save everyone a great deal of time and money if the Commission were to decide immediately to conduct a discretionary review of the building permit applications instead of requiring preparation of environmental impact reports.

Edward I. Murphy, Assistant Director of Planning, emphasized that the Commission had only two options for action on the matters under consideration. The first option would be to uphold the staff's determination that the buildings could have a significant impact on the environment, thus requiring the preparation of the environmental impact reports. The other option would be for the Commission to find that the buildings could not have a significant impact on the environment and to direct the staff to issue negative declarations. He recommended that the Commission act in accordance with the first option.

Commissioner Ritchie felt that the cumulative impact of the five buildings proposed would have a substantial effect on the environment of the neighborhood; and, therefore, he felt that the appeals should be denied and that environmental impact reports, which could be used as a basis for discretionary reviews in the future, should be prepared. After further discussion he moved that the appeal of EE73.195 be denied and that an environmental impact report be required for the six unit buildings proposed for 1258 10th Avenue. The motion was seconded by Commissioner Farrell who indicated that he, also, believed that the proposed buildings could have a significant effect on the environment of the neighborhood.

Commissioner Porter asked about the cost of environmental impact reports. Mr. Steele replied that a typical report costs between \$400 and \$500 in staff services in addition to any fees which might be paid for private consultants. The staff receives a fee of only \$150 from the applicant.

Commissioner Fleishhacker asked if one environmental impact report could be prepared to cover all five buildings in the present instance. Mr. Steele replied that that would depend on the ability of the applicants to co-operate with each other.

Commissioner Rueda stated that he was opposed to the concept of requiring environmental impact reports for the proposed buildings in view of the fact that the impact which the buildings would have was evident; and he emphasized that more preparation of the environmental impact reports would not really satisfy the concern of the neighbors. Under the circumstances, he felt that the Commission should proceed with a discretionary review of the building permit applications.

Mr. Steele stated that the Commission would have to determine that the proposed buildings could NOT have a significant effect on the environment if it wanted to proceed immediately with a discretionary review of the building permit applications.

Commissioner Ritchie stated that he did not see how the Commission could state that the proposed buildings could NOT have a significant effect on the environment; furthermore, if the Commission were to take that position, it would then have no basis on which to disapprove the building permit applications since it would already be on record as having declared that the buildings could not have a significant effect on the environment.

Commissioner Rueda stated that he would be prepared to state that the buildings would have no negative effect on the environment if that were the only way to avoid the situation in which the applicants would be required to prepare environmental impact reports.

Commissioner Porter felt that the guidelines for environmental review should be changed. She stated that she did not feel that the applicants

should be required to prepare environmental impact reports in the present instance; however, since she could not take the position that the proposed buildings could not have a negative effect on the environment of the area, she felt that she had no recourse other than to support Commissioner Ritchie's motion.

When the question was called, the Commission voted 4 to 2 to adopt Resolution No. 7118 to deny the appeal of EE73.195 and to require that an environmental impact report be prepared for the six unit apartment buildings to be located at 1258 10th Avenue. Commissioners Farrell, Newman, Porter, and Ritchie voted "Aye"; Commissioners Fleishhacker and Rueda voted "No".

Subsequently, it was moved by Commissioner Ritchie, seconded by Commissioner Farrell, and carried 4 to 2 that Resolution No. 7119 be adopted, that the appeal of EE73.196 be denied, and that an environmental impact report be required for the six unit building proposed to be located at 1266 10th Avenue. Commissioners Farrell, Newman, Porter, and Ritchie voted "Aye"; Commissioners Fleishhacker and Rueda voted "No".

EE73.200 - APPEAL OF A DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT WILL BE NECESSARY FOR BUILDING PERMIT APPLICATION NO. 428407 FOR A SIX-UNIT BUILDING TO BE LOCATED AT 1276 - 10TH AVENUE.
APPEAL DENIED RESOLUTION NO. 7120 VOTE: 4-2.

EE73.201 - APPEAL OF A DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT WILL BE NECESSARY FOR BUILDING PERMIT APPLICATION NO. 428410 FOR A SIX-UNIT BUILDING TO BE LOCATED AT 1215 - 10TH AVENUE.
APPEAL DENIED RESOLUTION NO. 7121 VOTE: 4-2.

EE73.205 - APPEAL OF A DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT WILL BE NECESSARY FOR BUILDING PERMIT APPLICATION NO. 428231 FOR A SIX-UNIT BUILDING TO BE LOCATED AT 1219 - 10TH AVENUE.
APPEAL DENIED RESOLUTION NO. 7121 VOTE: 4-2.

Commissioner Porter requested that the environmental impact reports be prepared as quickly as possible.

Commissioner Ritchie agreed and indicated that he, also, felt that the Commission should hold a discretionary review of the building permit applications on the same day that the hearings of the environmental impact reports are scheduled; and he moved that the staff be instructed to schedule the discretionary review on the same day as the public hearings on the environmental impact reports. The motion was seconded by Commissioner Farrell.

Commissioner Rueda stated that he was of the opinion that the Commission should delay its decision on the issue of discretionary review until the environmental impact reports have been prepared and evaluated.

After further discussion, the question was called. Commissioners Farrell, Newman, and Ritchie voted "Aye"; Commissioners Fleishhacker, Porter, and Rueda voted "No". Therefore, in accordance with the rules and regulations of the City Planning Commission which specify that "for a tie vote on any matter before the Commission shall be deemed to be a disapproval thereof," the motion failed.

President Newman requested that the environmental impact reports be scheduled for public hearings as early as possible.

CA73.13 - PUBLIC HEARING ON APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE AT 112 COLUMBUS AVENUE, NORTHEAST CORNER OF JACKSON STREET, IN THE JACKSON SQUARE HISTORIC DISTRICT. (POSTPONED FROM MEETING OF NOVEMBER 8, 1973).

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter as follows:

"When this matter was previously before the Commission on November 8, the staff described the subject application for property within the Jackson Square Historic District proposing to replace an existing store space with an access drive-way to an existing park area at the rear of the Hotel San Joaquin at 112 Columbus Avenue, and to demolish a one-story garage on the parking lot. On November 8 Mr. Steele indicated that although the Director looked favorably towards approving the Certificate of Appropriateness, the Commission could not take action at that time because the formal environmental evaluation of the project required due to its location within an historic district had not been completed. On November 16, 1973 the Department of City Planning filed a negative declaration indicating that the project would not have a significant effect on the environment, and the appeal period on the declaration is now passed. Thus I now recommend that the Commission approve the subject application for a Certificate of Appropriateness subject to the following three conditions:

"1. Six trees on Columbus Avenue and two on Jackson Street are to be planted in the sidewalk area of the streets.

"2. Within the parking area, landscaping shall be provided where shown on the aforementioned plans.

"3. Signing for the parking area shall be limited to the Columbus Avenue frontage only and in accord with the regulations

governing the Jackson Square Special Sign District. Design and placement of any sign shall be subject to further review by the Advisory Board. All signs with reference to parking located on or visible from Jackson Street shall be removed."

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7123 and that the application for a Certificate of Appropriateness be approved subject to the conditions which had been recommended by Mr. Steele.

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 422337 FOR A 9-UNIT APARTMENT BUILDING TO BE CONSTRUCTED AT 795 BUENA VISTA WEST. (UNDER ADVISEMENT FROM MEETING OF NOVEMBER 8, 1973).

Robert Passmore, Planner V (Zoning), remarked that the Commission, at the conclusion of its hearing on November 8, had suggested that plans for the proposed building should be modified so that the building would be shorter and lower and so that the required off-street parking would not interfere with existing landscaping on the site; and the Commission had taken the matter under advisement to enable the staff to work further with the applicant to effect revision of the plans. During the interim, the staff of the Department of City Planning had met with the applicant on two occasions; and, at the second meeting, the applicant had stated that he would be willing to remove three units from the building, effectively reducing the length of the building from 177 feet to 130 feet with decks extending an additional six feet at each end. However, if the building were to be reduced in length, the applicant believed only 4 of the 6 required off-street parking spaces could be accommodated within the building; and the applicant had indicated that he intended to request a variance from the requirement for the two additional off-street parking spaces so that they would not have to be in the rear yard. Mr. Passmore stated that he had mentioned the proposed revisions to residents of the neighborhood who had requested the discretionary review; however, since the revisions had not been agreed to by the applicant until Tuesday, there had not been sufficient time to obtain a response from residents of the neighborhood. In conclusion, he emphasized that the power of granting variances is vested in the Zoning Administrator and not in the Commission; and he indicated that the earliest date on which the request for a variance could be scheduled for hearing before the Zoning Administrator would be January 16, 1974.

Richard Felciano, 1326 Masonic Avenue, stated that he had requested the Commission to conduct the discretionary review of the subject application. He stated that his primary concern had been directed at the length of the proposed building and the destructive effect which it would have on the verdant quality of the lot. He believed that the applicant had made a very substantial effort to meet his concern; and he stated that he was very grateful for that display of cooperation. Not only were the revisions which had been proposed acceptable to him, but he also indicated that he would be willing to support the applicant in his request for a

parking variance. His only remaining concern was that some assurance be given that the applicant would be willing to replace any trees which might be inadvertently removed from the site.

Ed Wade, 783 Buena Vista West, felt that the satisfactory parking situation in the subject neighborhood would allow all neighboring property owners to support the applicant's request for a parking variance.

Edward I. Murphy, Assistant Director of Planning, recommended that the building permit application be approved subject to modifications which would result in the building being no more than 130 feet long with six-foot decks on either end and subject to the granting of an off-street parking variance for two automobiles.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant.

Victor F. Sketon, attorney for the applicant, stated that his client had indicated that the conditions would be acceptable if the residents of the neighborhood were willing to support the request for a parking variance. He also indicated that he would convey Mr. Felciano's concern about the vegetation to his client.

After further discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that Building Permit Application No. 422337 be approved subject to modifications which would result in the building being no more than 130 feet long with six-foot decks on either end and subject to the granting of an off-street parking variance for two automobiles. The Commission also requested that a letter be sent to the applicant stating that the Commission expected him to protect the existing trees on the property.

The meeting was adjourned at 5:15 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

ABJ

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 20, 1973.

The City Planning Commission met pursuant to notice on Thursday, December 20, 1973, at 2:45 p.m. in Room 282, City Hall.

PRESENT: Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, and Hector Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Richard Gamble, Planner IV; Lucian Blazej, City Planning Coordinator; Marie Zeller, Planner III- Administrative; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner, and Larry Liebert represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of October 25, 1973, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, began his report with the following statement:

"The National Endowment for the Arts is giving up to \$50,000 matching grants to highlight problems of urban design and planning and assist in their solution. This year's theme 'City Options' has been launched to concentrate on those special settings within a city that provide distinctive character and identity. The endowment suggests that projects be related to the upcoming Bicentennial celebration in 1976.

"As you may recall, Mayor Alioto, in his recent 'State of the City' message, expressed his support for a program geared toward the restoration of fine San Francisco Victorians, and such a program could be a major part of the City's Bicentennial Celebration.

"Funding through the 'City Options' program could give us the financial support to respond to the pressing need to help preserve fine Victorians, a benefit to both San Francisco and the nation.

"The grant would be used to review past efforts in restoration, identify structures and neighborhoods of architectural and historic significance, develop strategies, legislation and programs to implement restoration and preservation, and to generate community awareness and pride in the historic and cultural legacy of their neighborhoods. Through broad community involvement, we hope to generate interest in planning and restoration particularly in low and moderate income communities, since Victorians are principally located in these areas.

"We request your authorization to apply for a grant from the National Endowment for the Arts in support of this program. The required local match for this grant would be provided by in-kind staff services."

He then recommended the adoption of a draft resolution which contained the following resolves:

"NOW, THEREFORE, BE IT RESOLVED, That the City Planning Commission hereby reaffirms its approval of the proposed program to rehabilitate Victorians, and other buildings of architectural and historic merit; and be it

"FURTHER RESOLVED, That the staff of the Department of City Planning prepare an application to the National Endowment for the Arts for a grant, not to exceed \$50,000, the maximum allowed under the 'City Options' program, in support of Victorian restoration and preservation; and be it

"FURTHER RESOLVED, That the Board of Supervisors be and is hereby requested to hear and approve such application."

Commissioner Mellon observed that murals painted by a black artist on the walls of a church in the Western Addition are about to be demolished; and he asked if the "City Options" program might be helpful in preserving those murals. The Director replied that the specific projects which he was proposing would not be involved with actual physical preservation but rather with the types of steps which could be taken to accomplish that end. He suggested, however, that the Redevelopment Agency might wish to file its own application with the National Endowment for the purpose of preserving the murals, allowing the National Endowment to decide between the two proposals.

Commissioner Porter remarked that there seem to be no commonly accepted local definition of the term "Victorian".

The Director stated that he would be willing to place the word "Victorian" in quotation marks wherever it appeared in the text of the draft resolution.

Commissioner Fleishhacker, noting that the word "Victorian" was followed by the words "and other buildings of architectural and historic merit" in the first resolve of the draft resolution, suggested that that phrase should be included in the "whereas" clauses of the draft resolution. With that change, and with the change which had been recommended by the Director, he moved that the draft resolution, as amended, be adopted. The motion was seconded by Commissioner Mellon.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7124.

The Director continued his report with the following statement:

"On December 10 the Board of Supervisors passed a resolution regarding City policy on demolition of the Embarcadero Freeway and opposing extension of Interstate 280 beyond Third Street along the waterfront to connect with the Bay Bridge and the existing Embarcadero structure. The policy is in conformity with objectives for this corridor reviewed and approved by the Planning Commission and the Board of Supervisors in 1970. The new resolution calls for a short-term study of non-freeway alternatives to both the Embarcadero Freeway and the I-280 extension, and it directs City departments to work with State and Federal highway departments to develop a physical and financial plan for demolition of the Embarcadero Freeway. The resolution calls upon the Department of City Planning, with consultation from the Department of Public Works, the Federal Highway Administration, the California Department of Transportation and the Metropolitan Transportation Commission, to undertake and complete the study and evaluation of alternatives to both the Embarcadero Freeway and the extension of I-280, including financial consideration, and to transmit the findings and our recommendations to the Board within nine months.

"The staff is preparing a work program to accomplish the goals of this study within the time period. We expect to have that work program designed by January and will be bringing information as it develops to the Commission."

Commissioner Fleishhacker remarked that the Commission, following a staff report made on November 29, had endorsed in principle the staff's proposal for a possible re-routing of the proposed connection of Route 280 with the Bay Bridge. He stated that he had been extremely sympathetic to that proposal because the alternative seemed like a much better route; however, he emphasized that the proposal had not called for the demolition of the Embarcadero Freeway.

Commissioner Mellon stated that he would not be opposed to demolition of the Embarcadero Freeway provided that some suitable alternative could be provided.

The first part of the report deals with the general situation in the country. It is a very interesting and informative account of the conditions in the country at the time. The author describes the political and social situation, and the state of the economy. He also discusses the role of the government and the people in the country.

The second part of the report deals with the specific situation in the country. It is a very detailed and thorough account of the conditions in the country at the time. The author describes the political and social situation, and the state of the economy. He also discusses the role of the government and the people in the country.

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The Director then proceeded with his report as follows:

"As many of you know, there is an active citizens group organized to establish an Open Space Acquisition and Development Fund in San Francisco. The group has been meeting for a period of about nine months, and has recently arrived at a proposal for a charter amendment to effect the fund.

"The amendment provides for a 10¢ override on the property tax to acquire and develop open space in San Francisco in accordance with the Recreation and Open Space element of the Comprehensive Plan. Taxation at this rate would yield about \$2 million annually. The principal areas to which the fund would apply are hilltops, the eastern shoreline, and the five high need neighborhoods designated in the plan.

"The Fund would be administered by the Recreation and Park Department, and expended on open space purposes determined by this Department to be in accordance with the Plan, and Implementation Programs which you have adopted and endorsed. The amendment specifies in addition that a minimum of 75% of the fund shall be used for acquisition for the first 5 years, and that this percentage may be modified thereafter, by a majority vote of this Commission and of the Recreation and Park Commission. After ten years, other terms of the Fund may be similarly modified by a joint vote of the two Commissions, to provide for use of the funds in development of other high need neighborhood facilities.

"The amendment also provides for a joint public meeting of the Recreation and Park and Planning Commissions annually at which meeting a report will be made on the implementation of the Implementation programs and on expenditures made from the Open Space Acquisition Fund. The General Manager of the Recreation and Park Department would appoint one Director of Open Space Acquisition to act as staff for the Fund.

"Supervisors Pelosi, Von Beroldingen and Kopp introduced this matter at the Board of Supervisors on Monday, December 17. The amendment will be examined by the City Attorney, and Controller, and will be scheduled for hearing by the Legislative and Personnel Committee sometime in January. The amendment appears to have broad support among elected officials, and, to the extent we can determine, among neighborhood groups as well. We would anticipate that if the issue is placed on the ballot for June, a fairly widespread campaign will be launched to inform citizens of San Francisco about the Fund and its possible use. I trust members of the citizens group will also be meeting with members of the Commission as the campaign proceeds.

"The staff views this proposal as a highly desirable method of implementing the Recreation element of the Comprehensive Plan and would hope the Commission would look favorably on it."

Commissioner Mellon observed that similar funds had been established in San Mateo County and in a number of other public jurisdictions.

The Director advised the Commission that a joint meeting of the Health and Environment and Planning and Development Committees of the Board of Supervisors will be held on Friday to consider proposed amendments to the Environmental Review Ordinance which were carried over from last spring when the ordinance was adopted in its present form.

In response to questions raised by members of the Commission, the Director indicated that the Board of Supervisors had postponed action on the proposed "Places of Aid" amendment until January 21, 1974. He also reported that the Planning and Development Committee of the Board of Supervisors had amended the interim zoning controls recommended by the Commission and had sent the amended ordinance to the full Board for hearing on December 26.

R73.69 - JURISDICTIONAL TRANSFER OF PROPERTY AT SOUTHEAST CORNER
OF SANSOME AND WASHINGTON STREETS FOR NEW FIRE STATION
AND SALE OF 115 DRUMM STREET TO THE SAN FRANCISCO REDEVELOPMENT AGENCY.

Richard Gamble, Planner IV, reported on this matter as follows:

"Engine Company #1 station at 115 Drumm Street is within the Embarcadero Center portion of the Golden Gateway Redevelopment Project, and must be relocated in order to allow the next construction stage. The Fire Commission agreed to leave that comparatively new facility (built in 1956) for a more central location and more modern quarters if the sale would pay for construction of the new station.

"The proposed location, at the southeast corner of Sansome and Washington Streets, was excess acquisition from the widening of Washington Street. It measures 99 X 90 feet, and has the same area as the 115 Drumm site.

"The new location, while more central, has some problems. Sansome and Washington are one-way 'primary vehicular streets' as designated on the Downtown Transportation Plan. Congestion on Sansome Street could make egress from the station difficult unless traffic light override controls are placed in the station. Sansome traffic should be halted at Clay while continuing to move through the Washington Street intersection, thus clearing the block and allowing fire trucks to leave the station and proceed northward and westward or proceed south to Clay, thence east on Clay or south on Battery Street.

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"The site is diagonally across from the Jackson Square Historic District. To the north is the Appraiser's building with Old Customs House at its rear. Behind the site, on Washington Street, are two old brick loft buildings which had their facades removed for the Washington Street widening, but retain some of the historic character of the area. The proposed firehouse, already designed and approved by the Art Commission, is a contemporary structure, but its height (two stories with mezzanine) relates well with the older structures nearby.

"The Redevelopment Plan for the Golden Gateway project does not require clearance of the Drumm Street site. The developers and designers of Embarcadero Center want the site so they can achieve the best overall development, and they will purchase the property from the City at its market value plus building the new station."

Allan B. Jacobs, Director of Planning, recommended that the exchange and sale of the properties be approved as in conformity with the Master Plan provided that the new fire station is equipped with traffic signal over-ride controls for the intersections of Sansome Street with Hyde and Washington Streets.

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the transfer of Lot 9, Block 206, from the Department of Public Works to the Fire Department and the sale of Lot 2, Block 232, is in conformity with the Master Plan provided that the new station provided through the sale be equipped with traffic signal over-ride controls for the intersections of Sansome Street with Clay and Washington Streets.

R73.70 - ACQUISITION BY GIFT OF PROPERTY AT THE SOUTHEAST CORNER
OF PAGE AND BUCHANAN STREETS FOR PARK USE.

Richard Gamble, Planner IV, reported on this matter as follows:

"The Trust for Public Land, on behalf of Mr. and Mrs. Howard Friedman, Dr. and Mrs. Theodore Geballe and Dr. and Mrs. Daniel E. Koshland, Jr., is offering a gift of property to the City. The property is located at the southeast corner of Page and Buchanan Streets, measures 137.5 feet by 263.35, and is 36,210 square feet in area.

"The offer is made in commemoration of the 80th birthday of Daniel E. Koshland, a prominent San Francisco businessman. In addition to purchasing the land, the family also intends to supply funds to develop the site as a park.

"The site formerly had a large apartment building which was destroyed by fire. It enjoys a fine panorama of downtown, has some large trees and will make an excellent neighborhood park. This is a high need area and would receive high priority for development under the goals and objectives of the Plan for Recreation and Open Space."

The Director recommended that the acquisition by gift of Lots 14, 15, 21, and all or a portion of Lot 22 in Block 851 for park purposes be approved as in conformity with the Master Plan.

Commissioner Porter asked if the gift would also include funds for maintenance of the property. Mr. Gamble replied in the negative, indicating that he believed that funds were available only for development of the land for park use.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to report that acquisition by gift of Lots 14, 15, 21, and all or a portion of Lot 22 in Block 851 for park use is in conformity with the Master Plan.

CURRENT MATTERS CONTINUED

The Director summarized the achievements and failures of the Department of City Planning over the past year.

The meeting was adjourned at 3:50 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

